

2018 APR -2 PM 1:07

THIRTEENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF EVANGELINE

STATE OF LOUISIANA

NUMBER: 72711

DIVISION: A

GLORIA VALLARE, INDIVIDUALLY AND ON BEHALF OF
ALL OTHER SIMILARLY SITUATED

VERSUS

VILLE PLATTE MEDICAL CENTER, L.L.C. AND LOUISIANA HEALTH SERVICE
AND INDEMNITY COMPANY D/B/A BLUE CROSS AND BLUE SHIELD OF
LOUISIANA

Filed: _____
Deputy Clerk

ORDER

CONSIDERING the "Joint Motion for Approval of Settlement Agreement and Releases and Issuance of Other Related Orders,"

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

- a. The Joint Motion for Preliminary Approval of Settlement Agreement be and it is hereby granted, and the Court approves the Settlement Agreement (Exhibit "A") as being fair, reasonable and adequate, entered into in good faith, free of collusion to the detriment of the Class, and within the possible range of judicial approval pursuant to La. Code Civ. P. art. 594;
- b. A final Fairness Hearing on the Settlement Agreement and the proposed Settlement set forth therein to consider comments/objections regarding the Settlement Agreement and to consider fairness, reasonableness and adequacy under Art. 594 of the Louisiana Code of Civil Procedure, shall be conducted on the 21st day of May, 2018 at 9:00 o'clock a.m. in Division "A" of the 13th Judicial District Court for the Parish of Evangeline.
- c. The Court appoints Allen Mitchell and James Blanco as Special Masters in this matter. The Court authorizes and directs said Special Master Appoint to prepare and submit to the Court for approval a protocol for schedules and procedures for (i) the implementation of the terms and conditions of the Agreements; (ii) the disposition of objections to be considered at the Fairness Hearing; and (iii) the maintenance of the Agreement at the Office of the Special Master for inspection by Class Members, during regular weekday business hours;
- d. The Court appoints Stulb & Associates as the Court Appointed Distribution Agent for the purpose of disbursing Settlement Funds, paying expenses and fees, and accounting for and reporting of same to the Court and all counsel.
- e. Joint Plan for Dissemination of Notice of Settlement and the Notice itself are approved;
- f. The Court orders that that any objection to the fairness, adequacy or reasonableness of the Agreement shall be made in writing, shall state the specific reason(s) for the objection, shall be postmarked no later than twenty-one (21) days after the mailing of the notice and shall be sent to the Lead Counsel;
- g. The Court orders that Class Members who do not follow the procedure outlined above shall be deemed to have waived any objections and shall be forever

foreclosed from making any objection to the fairness, reasonableness and adequacy of the Agreement or any final Order and Judgment that may be entered;

- h. The Court will consider at the Fairness Hearing properly filed and lodged comments and objections regarding the Agreement, including the Agreement's fairness, reasonableness and adequacy under article 594 of the Louisiana Code of Civil Procedure and decide whether a final Order and Judgment of dismissal shall be entered, shall be conducted;
- i. The Court orders that (i) the form and execution of the Escrow Agreement, attached as an exhibit to the Settlement Agreement and (ii) the appointment of JP Morgan Chase as the Escrow Agent are each hereby approved;
- j. The Court orders that (i) the funds on deposit in the Settlement Escrow Accounts be established as a qualified settlement fund pursuant to § 468B of the U.S. Internal Rev. Code (26 U.S.C. § 468B) and the regulations promulgated thereunder from the earliest date permitted by law; and (ii) the Court assume continuing jurisdiction over the Escrow Account in accordance with § 468B of the U.S. Internal Revenue Code of 1986 (26 U.S.C. § 468B); and (iii) the funds in each such account may be invested, disbursed, paid and/or transferred in accordance with the provisions of the Escrow Agreement and the Settlement Agreement;
- k. The Court approves the Notice of Hearing on Proposed Final Settlement Agreement and the Short Form Notice;
- l. The Notice of Hearing on Proposed Final Settlement is to be sent by United States Mail, postage prepaid, on March 28, 2018 to all Class Members whose names and addresses are known to the Plaintiff Steering Committee.
- m. A copy of the Notice of Hearing on Proposed Final Settlement shall also be mailed on the same date to each attorney believed to represent individual class members identified in paragraph (1), as well as to Counsel for the Defendants;
- n. A "Short Form Notice" shall be published in the *Ville Platte Gazette* on two occasions fifteen days apart, with the last date no later than April 15, 2018;
- o. All such published notices shall occupy one-quarter page.
- q. The Court shall maintain continuing jurisdiction over these settlement proceedings with respect to settlement of the Litigation, including the allocation and distribution of all available settlement funds and hearing thereon.

Signed on the 4th day of April, 2018.
of Gary J. Ortega
Judge Gary J. Ortega

A True Copy
Ville Platte, La 4-5-18
Christy J. Grant
Deputy Clerk of Court