

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LESLIE ANN WILKIE PELTIER, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	No.: 1:20cv03775-TFH
)	
DEBRA A. HAALAND,)	
Secretary of the Interior, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

**ORDER GRANTING PLAINTIFFS’ MOTION
UNDER RULE 60 TO CORRECT AND ADJUST
ORDER (ECF No. 34) AND JUDGMENT (ECF No. 35)**

This matter is before the Court on Plaintiffs’ Unopposed Motion under Rule 60 to Correct and Adjust Order (ECF No. 34) and Judgment (ECF No. 35). ECF No. 37. Upon consideration of the Unopposed Motion, Defendants’ response thereto (ECF No. 38), and for good cause shown, it is hereby ORDERED that Plaintiffs’ unopposed Motion should be and is hereby GRANTED. Further, it is ORDERED that:

1. Paragraph 12 of this Court’s Order (ECF No. 34) granting Plaintiffs’ unopposed motion for final certification of class, pursuant to Fed. R. Civ. P. 23(b)(3), for settlement purposes only, and for final approval of the Class Action Settlement Agreement is hereby amended as follows:

Allocation to Settlement Class Members. The total amount allocated from the Settlement Proceeds to Settlement Class Members is \$42,650,600.00. The specific components of this allocation are as follows:

a. The total amount allocated for the 21,268 Settlement Class Members who shared in the 1964 Award is One Million Sixty-Three Thousand Four Hundred Dollars

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(\$1,063,400.00);

b. The total amount allocated for the 29,296 Settlement Class Members who shared in the 1980 Award as members of a Tribal Beneficiary is Thirty-Five Million One Hundred and Fifty-Five Thousand Two Hundred Dollars (\$35,155,200.00); and

c. The total amount allocated for the 4,288 Settlement Class Members who shared in the 1980 Award as members of the NMLD group is Six Million Four Hundred and Thirty-Two Thousand Dollars (\$6,432,000.00).

Class Counsel Fees, Expenses, and Costs. The total amount allocated from the Settlement Proceeds for Class Counsel Fees, Expenses, and Costs is Five Million Eight Hundred Ninety-Two Thousand Four Hundred Eighty Dollars (\$5,892,480.00). This figure takes into account, among other factors, (1) the payments that Class Counsel will have made by September 20, 2021, to the Settlement Administrator for work under the contract between Class Counsel and the Settlement Administrator; and (2) the cost of the \$63,000.00 contract between Class Counsel and Kroll—the claims administrator in *Cobell sub nom. Maulson v. Haaland*, No. 96-1285-TFH (D.D.C.)—for Kroll’s work with the Settlement Administrator in this case regarding individual plaintiff-related data research, location, and exchange, between August 1 and September 20, 2021.

Settlement Administrator Fees, Expenses, and Costs. The total amount allocated from the Settlement Proceeds for the Settlement Administrator’s Fees, Expenses, and Costs for performance of the Settlement Administrator’s obligations under this Class Action Settlement Agreement is One Million Five Hundred Thousand Dollars (\$1,500,000.00). This figure takes into account the following factors: (1) of the \$3,000,000.00 amount allocated in the Class Action Settlement Agreement (ECF No. 14) for Settlement Administration, Class Counsel have already paid the Settlement Administrator \$985,372.40 for its work in the period through July 31, 2021;

and (2) Class Counsel are projected to pay the Settlement Administrator another \$514,627.60 for its work between August 1 and September 20, 2021, before Final Approval occurs (at which time the Settlement Administrator's compensation can come directly from the Settlement Proceeds (through the Qualified Settlement Fund, *see* ECF No. 14, Section II.A.57)), *see id* at Sections II.L.5 and II.M.6.c.

2. Paragraph 15 of the Court's Order (ECF No. 34) is amended as follows:

In accordance with the terms of the Class Action Settlement Agreement, the Settlement Administrator is hereby ordered to begin the processing of Claim Forms postmarked timely by December 19, 2021, and properly submitted to:

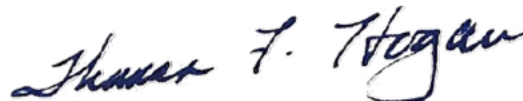
Pembina Settlement Administrator
c/o Class Experts Group, LLC
P.O. Box 995
Mequon, WI 53902

See Settlement Agreement, ECF No. 14, at Section II.M.2.c.

3. All other portions of the Order (ECF No. 34) remain unchanged and in full effect.
4. The Judgment (ECF No. 35) is hereby revised to include reference to this Order.

SO ORDERED.

Dated: September 22, 2021



THOMAS F. HOGAN
United States District Judge