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Clerk of Court
Superior Court of CA,
County of Santa Clara
2014-1-CV-266866
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

IN RE FIREEYE, INC. SECURITIES
LITIGATION

Lead Case No.: 1-14-cv-266866
(Consolidated with Case No. 1-14-cv-268110)

This Document Relates To:

ALL ACTIONS.

**[PROPOSED] ORDER GRANTING LEAD
PLAINTIFF'S UNOPPOSED MOTION
FOR DISTRIBUTION OF CLASS
SETTLEMENT FUND**

1 Lead Plaintiff Dekalb County Employees Retirement Plan ("Lead Plaintiff") having filed a
2 Motion for Distribution of Class Settlement Fund and this Court, having considered all the papers filed
3 in connection therewith, and based upon all other prior proceedings had herein, and good cause
4 appearing:

5 IT IS HEREBY ORDERED¹ that:

6 1. ~~The proposed final Plan of Distribution recommended by the Court-appointed claims~~
7 ~~administration firm in this matter, Kurtzman Carson Consultants LLC ("KCC") and set forth at ¶38 of~~ (KCC)
8 ~~the Distribution Declaration of Justin Hughes, dated January 11, 2018 (the "Hughes Distribution~~
9 ~~Declaration"), is approved as fair and reasonable;~~

10 2. ~~KCC's administrative determinations accepting the valid claims, as set forth in Exhibit B-~~
11 ~~1 of the Hughes Distribution Declaration, and accepting the additional late, but otherwise valid claims~~ (KCC)
12 ~~postmarked through and including December 31, 2017, as set forth in Exhibit B-2 of the Hughes~~
13 ~~Distribution Declaration, are approved and such claims are accepted;~~

14 3. ~~The administrative determinations of KCC rejecting other claims, as set forth in Exhibit~~ (KCC)
15 ~~B-3 of the Hughes Distribution Declaration, are approved and such claims are rejected;~~

16 4. Any claims received after December 31, 2017 are, and shall be, rejected, except as may
17 be authorized in accord with subsection (d) of the Distribution Plan (as set forth in ¶38 of the Hughes
18 Distribution Declaration);

19 5. KCC (having previously been paid the sum of \$92,132.90 from the Settlement Fund for
20 its services performed and expenses incurred through June 30, 2017 in connection with the
21 dissemination of the Notice to the Class and initial claims processing work) shall be paid the additional
22 sum of \$104,503.99 from the Settlement Fund for the balance of its fees and expenses incurred (and yet
23 to be incurred) in connection with services performed (and to be performed) by KCC since July 1, 2017

24 _____
25 ¹ All capitalized terms used herein, to the extent not separately defined, shall have the same
26 meanings as given to them in the parties' Stipulation and Agreement of Settlement, dated February 6,
27 2017 (the "Stipulation"), or in the Court's subsequent Orders dated March 10, 2017 and August 10,
28 2017 that, respectively, preliminarily and finally approved the Stipulation.

1 in administering the Settlement, including for the completion of its claims processing work and for the
2 printing and distribution of actual checks from the Settlement Fund to Class Members;

3 6. The balance of the Net Settlement Fund (after deducting claims administration payments
4 previously allowed and those approved herein) shall be distributed to the Accepted Claimants listed in
5 Exhibits B-1 and B-2 to the Hughes Distribution Declaration, in accordance with the Distribution Plan;

6 7. The payments to be distributed to the accepted Claimants shall bear the notation "CASH
7 PROMPTLY; VOID AND SUBJECT TO RE-DISTRIBUTION IF NOT CASHED 120 DAYS AFTER
8 ISSUE DATE." Lead Counsel and KCC are authorized to take appropriate actions to locate and/or
9 contact any eligible Claimant who has not cashed his, her, or its distribution within said time;

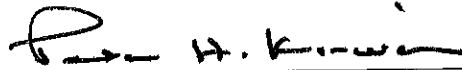
10 8. If there is any balance remaining in the Settlement Fund after six months from the date of
11 the issuance of payments referenced in ¶7 (whether by reason of tax refunds, uncashed checks, or
12 otherwise): (1) any such balance shall be reallocated among and distributed to Authorized Claimants in
13 ~~an equitable fashion~~, if logistically feasible and economically justifiable; and (2) after any such
14 reallocation (or if no such reallocation is undertaken), any remaining residual amounts shall be
15 distributed to the Legal Services of Northern California, a §501(c)(3) non-profit corporation, as provided
16 in ¶6(e) of the Stipulation and previously authorized by the Court's Order After August 4 Hearing,
17 entered August 7, 2017;

18 9. All persons involved in the review, verification, calculation, tabulation, or any other
19 ~~aspect of the processing of the claims submitted in this matter, or otherwise involved in the~~
20 ~~administration of the Settlement Fund, including Class Counsel and KCC, are hereby released and~~
21 ~~discharged from any and all claims arising out of such involvement, and all Class Members, whether or~~
22 ~~not they are to receive payment from the Settlement Fund, are barred from making any further claim~~
23 ~~against the Settlement Fund or any of the Released Persons beyond the amount allocated to them~~
24 ~~pursuant to this Order; and~~

25 10. KCC is hereby authorized to destroy paper or hard copies of the Proof of Claim forms
26 and supporting documents no less than one year after the distribution of the Net Settlement Fund to
27

1 eligible Claimants and to destroy electronic or magnetic media data no less than three years after the
2 distribution of the Net Settlement Fund to the eligible Claimants; and

3 **DONE AND ORDERED** this 2 day of Feb, 2018 at the Courthouse for
4 the Superior Court of California, Santa Clara County, California.

5 

6 HON. PETER H. KIRWAN
7 JUDGE OF THE SUPERIOR COURT

8
9 Submitted by:

10 SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

11 /s/ John T. Jasnoch

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