

BEAUFORT COUNTY

FILED
2015 JUN 10 3:09

STATE OF NORTH CAROLINA
IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
14 Cvs 327

PCS PHOSPHATE COMPANY, INC. (S.C.)
Plaintiff)

v.)

ESSIE MOORE LONG, MARCELLUS)
BLOUNT, AND BERNARD MOORE,)
each individually and as a)
Representative of the Class)
of All Heirs of ELIZA ANN)
MOORE DIAMOND,)
Defendants.)

ORDER CONFIRMING CLAIMANTS

THIS MATTER is before the Court for an Order Confirming Claimants, pursuant to this Court's prior Order entered on November 7, 2014, wherein it approved the Settlement Agreement and the Claims Procedure outlined therein. Pursuant to said Order, Settlement Agreement and Claims Procedure, Matthew S. Sullivan, as counsel for the Defendant Class, filed a Preliminary Claimant List on June 8' 2015. Subsequent to the filing of the Preliminary Claimant List, any person was permitted to file with the Court an objection to the inclusion or exclusion of any person on or from the Preliminary Claimant List, together with such documents as the objector deemed appropriate. The objection period has run and based solely on the written submissions, the Court is now charged with determining from the Preliminary Claimant List and subsequent objections, who shall be determined to be a Confirmed Claimant. The Court based upon a review of the file, representations made by Class Counsel, the documents submitted by the Claimants, including any objections, and upon due inquiry and in the interests of justice, hereby finds the following:

FINDINGS OF FACT

1. Persons submitting claims were divided into claimants falling under one of the seven children of Eliza Diamond, all of whom were identified in the Referee's Report, which report has been previously filed with the Court and has been posted on the website of counsel for the Defendant Class. Those seven children are: Mary Jane Moore, John Allen More, William Thomas Moore,

Hezekiah Moore, Millie Moore, William David Moore, and Betsy Williams.

2. Each claimant had to fall under one of the seven children in order to be eligible as a claimant of the Defendant Class. The claimants were then divided as set forth in Paragraph 6 of the Settlement Agreement; specifically the claimants were listed as either: (a) a list of claimants who had satisfied the filing requirements (Completed claims); (b) a list of claimants who had filed a claim with an affidavit and/or other supporting documents; and (c) a list of conflicting (Incomplete) claims with supporting documents. Additionally, there was a notation as to each claimant, as to whether he/she was eligible to participate as to Tract 1 and/or Tract 2.

3. Class Counsel provided considerable liberty with the information to be considered an "affidavit." Class Counsel accepted as an affidavit, any statement with supporting information that might otherwise be used to document a family relationship to Eliza Diamond or any person identified in the Referee's Report.

4. Claimants were grouped into the "conflicting" or "incomplete" category, if any claimant did not fall within the first two categories. The Preliminary Claimant List included claims that might not be "conflicting," but in some instances just incomplete. There are a number of claimants who failed to provide certain information. Any claim that was listed in the "conflicting" category had a notation of what information might be needed to complete the claims process or an indication as to why that claimant may not be a class member.

5. Class Counsel attempted to provide the broadest latitude to permit claims. For example, there are individuals who failed to submit claims under additional heirs for whom they are eligible to participate. In that regard, those individuals were listed twice. Those claimants were included under two categories: "completed" as to one heir and "conflicting" as to another heir.

6. Preliminary Claimant Lists were submitted for Mary Jane Moore Descendants, Johan Allen More Descendants, William Thomas Moore Descendants, Hezekiah Moore Descendants, Millie Moore Descendants, William David Moore Descendants, and Betsy Williams Descendants.

7. Objections and other information were submitted to Class Counsel and to the Court after the filing of the

Preliminary Claimant List and those objections and information have been considered within the parameters of this Court's Order, the terms of the Settlement Agreement, the Claims Procedure, and within the inherent authority of this Court to act in the best interest of the judicial system and in the interests of Justice.

NOW, THEREFORE, based on the foregoing findings of fact, the Court makes the following:

CONCLUSIONS OF LAW

1. The Court has jurisdiction over the parties and the subject matter, and the parties are properly before the Court.

2. That the terms of Court's Order of November 7, 2014, the Settlement Agreement and the Claims Procedure have been complied with concerning the identification and determination of the Preliminary Claimants.

3. That the identification and determination of those Preliminary Claimants, including the categories those claimants were placed in, are just, fair and reasonable in all respects and it is in the best interest of all of the potential heirs and Claimants of Eliza Diamond to determine the Confirmed Claimants from the Preliminary Claimants and the supporting documentation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. That from the Preliminary Claimant List submitted for Mary Jane Moore Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit A.

2. That from the Preliminary Claimant List submitted for John Allen More Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit B.

3. That from the Preliminary Claimant List submitted for William Thomas Moore Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit C.

4. That from the Preliminary Claimant List submitted for Hezekiah Moore Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit D.

5. That from the Preliminary Claimant List submitted for Millie Moore Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit E.

6. That from the Preliminary Claimant List submitted for William David Moore Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit F.

7. That from the Preliminary Claimant List submitted for Betsy Williams Descendants, the Confirmed Claimants shall be as follows: See Attached Exhibit G.


8. The Confirmed Claimants will be eligible to participate in the distribution of the Net Settlement Proceeds after compliance with the terms of the Settlement Agreement and Claims Procedure, as previously approved by the Court.

9. That attached to this Order as Exhibit H is a list of claimants who DO NOT QUALIFY as confirmed claimants and those persons shall not participate in the distribution.

10. Class Counsel shall post this Order, the list of Confirmed Claimants, and the list of those claimants that do not qualify as confirmed claimants on Class Counsel's website and notify each person included on the Preliminary Claimant List of such posting by either mail or email.

IT IS SO ORDERED.

This 10th day of December, 2015.


Honorable Wayland J. Sermons, Jr.
Senior Resident Superior Court Judge

#330/112387-1

Exhibit A to Order Confirming Claimants

Mary Jane Moore Descendants, the Confirmed Claimants, shall be as follows:

Claimant	Tract 1	Tract 2
Loretta Moore Johnson	NO	YES
Edward Lee Moore	NO	YES
Mattie Bell Moore	NO	YES
Thomas Earl Moore	NO	YES
Annie Richardson	NO	YES
Chad Jones	NO	YES
Edith Verna Wright Moore	NO	YES

Exhibit B to Order Confirming Claimants

John Allen More Descendants, the Confirmed Claimants, shall be as follows:

Claimant	Tract 1	Tract 2
Willie Mae Keyes	YES	YES
Corene McLean	YES	YES
Jean Simms	YES	YES
Sarah Moore Felton	YES	YES
Clyde Moore III	YES	YES

Exhibit C to Order Confirming Claimants

William Thomas Moore Descendants, Confirmed Claimants, shall be as follows:

Claimant	Tract 1	Tract 2
Mary Louise Crawford Johnson	NO	YES
Milton Crawford	NO	YES
Lee Van Crawford Jr.	NO	YES

Exhibit D to Order Confirming Claimants

Hezekiah Moore Descendants Confirmed Claimants shall be as follows:

Claimant	Tract 1	Tract 2
Minerva Little Moore	YES	YES
Paul T. Little	YES	YES
Addie Little Moore	YES	YES
Ralph N. Moore	YES	YES
Doris Little Smith	YES	YES
Ruebell Moore Blount	YES	YES

Exhibit E to Order Confirming Claimants

Millie Moore Descendants Confirmed Claimants shall be as follows:

Claimant	Tract 1	Tract 2
Vandy Cutler	NO	YES
William Cutler	NO	YES
Gary Cutler	NO	YES
Cynethia Mayhand	NO	YES
Joshua Moore	NO	YES
Velma J Law	NO	YES
Edna Thomas	NO	YES
Andrea Moore	NO	YES
Mildred Hines	NO	YES
Agrippi Moore	NO	YES

Exhibit F to Order Confirming Claimants

William David Moore Descendants Confirmed Claimants shall be as follows:

Claimiant	Tract 1	Tract 2
John McKinley Adams	NO	YES
Joseph Blount	YES	YES
Marcellus Blount	YES	YES
Florence Bonaparte	YES	YES
Eddie Bryant	NO	YES
William Jerome Bryant	NO	YES
Carstella Jones-Greer	NO	YES
Matilda Blount	YES	YES
Velma Kelly	NO	YES
Angela Moore Little	NO	YES
Bernard Moore	NO	YES
Carlos Moore	NO	YES
Carolyn Moore	NO	YES
Corena Moore	NO	YES
Daniel Moore	NO	YES
Ivory Moore	NO	YES
Sadie Moore	NO	YES
Victor Moore	YES	YES
Erica Morris	NO	YES
Angela Orr	NO	YES
Mille Blount Rice	YES	YES
Antoinette Sawyer	NO	YES
Mary Washington	NO	YES
Edith Wright	NO	YES
Kenneth McCarthy Blount	YES	YES
Edwin Moore	NO	YES
George E. Moore Jr.	NO	YES

Exhibit G to Order Confirming Claimants

Betsy Williams Descendants Confirmed Claimants shall be as follows:

Claimant	Tract 1	Tract 2
Cleopatra Williams Bragg	YES	YES
Anna Battle	YES	NO
Jermaine Clemons	YES	NO
Vandy Leon Cutler	YES	NO
William Alexander Cutler	YES	NO
Sarah Moore Felton	YES	NO
Gary Anthony Cutler	YES	NO
Joe N. Foreman	YES	YES
Joyce Foreman Gay	YES	YES
Virginia Foreman Gray	YES	YES
Patricia Willis Harding	YES	YES
Cheryl Regina Harris	YES	YES
Ahmed Hassan	YES	YES
Elsie Hill	YES	YES
Althea Elva Williams King	YES	YES
Velma J Law	YES	NO
Essie Mae Moore Long	YES	NO
Cynethia Mayhand	YES	NO
Neuquan McMillian	YES	YES
Eileen Rocker Milford	YES	NO
Agrippi Moore	YES	NO
Andrea Moore	YES	NO
Corrina Bell Moore	YES	NO
Jerry M. Moore	YES	NO
Johnny Tyrone Moore	YES	NO
Monique Pough Green	YES	YES
Joshua Moore	YES	NO
Mildred Virginia Moore	YES	YES
Jeanine Ahmard Priestly	YES	YES
Jean Moore Sims	YES	NO
William Goldie Smith	YES	YES
Edna Denise Thomas	YES	NO
Angelo Jerome Williams	YES	YES
Carol Y. Williams	YES	YES
Dashaun Tyrek Williams	YES	YES
Devin Mitchell Williams Sr.	YES	YES
Grendel Williams	YES	YES
Jalik Deion Tyson Williams	YES	YES
Julius Rosenwald Williams	NO	YES

Exhibit G to Order Confirming Claimants (Continued)

Claimant	Tract 1	Tract 2
Jay Kevin Williams	YES	YES
Rayford Dale Williams	YES	YES
Reginald Dillar Willis	YES	YES
Dexter Derek Williams	YES	YES
Mary J. Cumberbatch	YES	YES
Irvin Lewis Chapman	YES	YES
Yulonda Moore Hayes	YES	NO
Clyde Moore III	YES	NO
Connie Chapman Pearsall	YES	YES
Judy Elaine Young	YES	YES

Ahmed Hassan died after completing the Claims Process. Niema Hassan and Tasnim Hassan shall divide equally any distributions that Ahmed Hassan is entitled to receive as a Confirmed Claimant, based on the documentation supplied.

Elsie Hill died after completing the Claims Process. Zelda Robinson shall be entitled to receive any distribution that Elsie Hill is entitled to receive as a Confirmed Claimant, based on the documentation supplied.

Mildred Virginia Moore died after completing the Claims Process. Milton Moore shall be entitled to receive any distribution that Mildred Moore is entitled to receive as a Confirmed Claimant, based on the documentation supplied.

Exhibit H to Order
Excluded Claimants

The following are claimants who did not meet the criteria for inclusion, and referred to as Excluded Claimants, shall be as follows:

Claimant

Shanequa Johnson
Elaine Little Clark
Beatrice Respers
Clora Mathews
Mary Bryant Moore
Ervin Lee Moore Jr.
Daniel Ray Moore
Doris Mae Chapman
Joyce Williams Moore
Melvin Edison Morning
Norman Morning
Marilyn Morning
James Ojeda
Bruce Anthony Williams
Dwayne Williams
Jarres Mario Williams
Parker David Williams
Rashidi Williams
Sapin Williams
Hildred Moore Willis

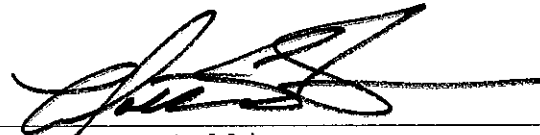
CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this Order in the above entitled action upon all other parties to this cause by hand delivering a copy hereof to the said parties or attorneys for said parties to:

William P.H. Cary
BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P.
Suite 2000, 230 N. Elm Street
Greensboro, North Carolina 27401

Fred Holscher
RODMAN HOLSCHER PECK & EDWARDS
P.O. Box 1747
Washington, NC 27889

This 17th day of December, 2015.



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