

FINDINGS OF FACT

1. Each Confirmed Claimant was mailed his or her Final Allocation amount as previously set forth in this Court's prior Order. Counsel for the Class has filed with this Court an Affidavit evidencing that all Confirmed Claimants except for Joseph N. Foreman have received and negotiated those checks representing the Final Allocation amounts.

2. That Class Counsel has also complied with the Court's Order in paying to the charities and class representatives the amounts previously directed by the Court.

3. That reasonable efforts have been made, as evidence by Class Counsel's affidavit in trying to locate the individuals that have not negotiated the amounts due to them. That both Class Counsel and this Court are aware that this matter cannot continue on waiting for the negotiation of these funds. That despite the efforts of Class Counsel, consistent with this Court's prior Order, it is just and reasonable that those sums that were previously due and payable to those individuals, shall be deemed waived and paid to the Ware Creek Rosenwald School, consistent with this Court's prior Order.

4. That Class Counsel incurred expenses in the amount of THREE HUNDRED ELEVEN DOLLARS and 92/100 (\$311.92), distributing the amounts due to the Confirmed Claimants and for the opening of the account and costs of the checks. This sum is within the amount of money previously set aside by Order of this Court for future expenses.

5. The Remaining Monies after the deduction of the expenses that remains to be paid from the Eliza Diamond Final Distribution Account is THIRTEEN THOUSAND ONE HUNDRED SIXTY ONE DOLLARS and 01/100 (\$13,161.01).

6. That despite inquiry, the Court is not satisfied that the Bonnerton Community Center should receive the portion of the Gross Settlement Amount that was previously contemplated.

7. That it is in the best interest of the all parties and in the Court's discretion, that these remaining funds should be paid to Ware Creek Rosenwald School, which would be

consistent with the general terms and purposes of the settlement and it will provide finality for all involved.

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 each Confirmed Claimants was mailed his or her Final Allocation amount as previously set forth in this Court's prior Order. All Confirmed Claimants except for Joseph N. Foreman have received and negotiated those checks representing the Final Allocation amounts.

3. That reasonable efforts have been made in attempting to locate the Claimants that have not negotiated the amounts due to them. It is just and reasonable that those sums that were previously due and payable to those Claimants, shall be deemed waived.

4. That Class Counsel shall reduce from the Remaining Monies the sum of THREE HUNDRED ELEVEN DOLLARS and 92/100 (\$311.92) to cover the expenses incurred in distributing the Final Allocation amounts.

5. That despite this Court's prior Order directing payment to Bonnerton Community Center, the Court, in its discretion, has not be satisfied as to the owners of the property and the benefit that will come from the payment of those funds. As such, the Order previously entered by this Court directing the payment of the sum of TWELVE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$12,500.00) to Bonnerton Community Center is modified and those funds shall be directed to the Ware Creek Rosenwald School.

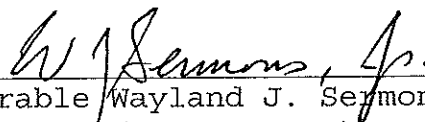
6. All Remaining Monies in the amount of THIRTEEN THOUSAND ONE HUNDRED SIXTY ONE DOLLARS and 01/100 (\$13,161.01) that is currently held in the Eliza Diamond Final Distribution Account shall be paid to the Ware Creek Rosenwald School within ten (10) days of this Order.

7. That upon payment of the Remaining Monies and the funds clearly the account to a zero balance, Class Counsel shall be relieved of any further responsibility relating to the representation of the Class and Class Counsel shall close the Eliza Diamond Final Allocation Account.

8. Class Counsel is directed to post this Order with an accounting of the final payments made from the Eliza Diamond Final Allocation Account on Class Counsel's Website.

IT IS SO ORDERED.

This 27th day of Jan., 2017.



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

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