

IN THE CIRCUIT COURT OF PUTNAM COUNTY, WEST VIRGINIA

ZINA G. BIBB, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 04-C-465

MONSANTO COMPANY, et al.,

Defendants.

RONNIE W. MATTHEWS
FILE
PUTNAM CO. CIRCUIT COURT
2016 APR 21 AM 11:52

**AGREED ORDER GRANTING MOTION OF THE CLASS SETTLEMENT
ADMINISTRATOR TO CLOSE THE PROPERTY PROGRAM FUND
AND RETURN THE BALANCE TO THE DEFENDANTS**

Pending before the Court is the Motion of the Class Settlement Administrator Regarding the Property Class Settlement Agreement Administration and requesting to close the property program fund established relative to this action and return the balance in the escrow account to the defendants in accordance with paragraph 4.5(g) of the Property Class Settlement Agreement. The Court has received and reviewed the Report of the Class Settlement Administrator and notes that both Class Counsel and counsel for the defendants concur in granting the Administrator's motion.

ACCORDINGLY, the Court being advised that the terms of the Property Class Settlement Agreement have been fulfilled to the satisfaction of the Administrator and the parties, the Court, for good cause shown, is of the opinion to and does hereby GRANT the Administrator's motion.

Therefore, it is hereby ORDERED, ADJUDGED and AGREED that the Class Settlement Administrator may close the property program fund established relative to this action and return the sum of \$1,190,275.40 to the defendants in accordance with paragraph 4.5(g) of the Property Class Settlement Agreement.

RECEIVED APR 22 2016

The Clerk is directed to send certified copies of this Order to the undersigned counsel.

ENTERED this 18th day of April, 2016.

Derek C. Swope
Derek C. Swope, Circuit Judge
By Temporary Assignment by the 29th Judicial Circuit

PREPARED AND PRESENTED BY:

CLASS ADMINISTRATOR AND NITRO CLASS
ACTION SETTLEMENT ADMINISTRATORS, LLC:

T. V. Flaherty
Thomas V. Flaherty (WV Bar #1213)
P. O. Box 3843
Charleston, WV 25338-3843

INSPECTED AND AGREED TO:

COUNSEL FOR MONSANTO COMPANY, ET AL.:

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CLASS COUNSEL:

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David H. Carriger (WV Bar #7140)
John H. Skaggs (WV Bar #3432)
The Calwell Practice, LC
500 Randolph Street
Charleston, WV 25302

STATE OF WEST VIRGINIA
COUNTY OF PUTNAM, SS:
I, Ronnie W. Matthews, Clerk of the Circuit Court of said
County and in said State, do hereby certify that the
foregoing is a true copy from the records of said Court.
Given under my hand and the seal of said Court
this 21 day of April, 2016
Ronnie W. Matthews, Clerk
Circuit Court
Putnam County, W.Va.