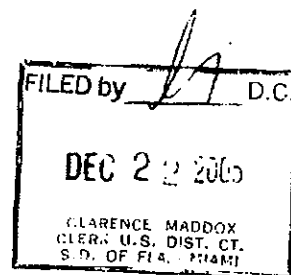


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 01-1859-CIV-SEITZ



IRVING ROSNER, *et al.*, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

**ORDER GRANTING JOINT MOTION
FOR ORDER ON SETTLEMENT IMPLEMENTATION**

THIS CAUSE came on before the Court on the parties' Joint Motion for Order On Settlement Implementation. Based on the good cause shown in the Motion, it is hereupon **ORDERED AND ADJUDGED** that the Motion be, and the same is, hereby **GRANTED**, as follows.

1. Paragraph VI.A. of the Settlement Agreement (second paragraph) is hereby amended in part to provide that the panel "shall select the Recipient Institution by March 31, 2006."
2. The Escrow Agent selected by Class Counsel, which shall act as the escrow agent for the Settlement Fund and Special Funds is Wachovia Bank, National Association, 123 South Broad Street, Philadelphia, Pennsylvania, 19109, which is pursuant to Section V.B. of the Settlement Agreement and Paragraph X.8 of the Final Order and Judgment subject to the continuing jurisdiction and supervision of this Court.
3. The Escrow Agent shall disburse from the Settlement Fund or the Special Fund the following amounts upon the written direction of Class Counsel:

Handwritten signature/initials

- a. \$3.85 million for attorneys' fees and expenses, payable to the Cuneo Gilbert & LaDuca LLP Escrow Account, and Cuneo Gilbert & LaDuca LLP shall act as collection and disbursement agent and distribute such funds to the three firms appointed as Class Counsel: Cuneo Gilbert & LaDuca, LLP, Hagens Berman Sobol Shapiro, LLP, and Dubbin & Kravetz, LLP in accordance with the firms' agreement.
- b. A total of \$150,000 for plaintiffs' incentive fees, payable to the named plaintiffs in the amounts specified in Exhibit A.
- c. \$500,000, as provided for in Section VI.A. of the Settlement Agreement, shall be disbursed at a future date after a Court Order upon Motion by the Parties in accordance with the recommendation of the panel of historical experts, but shall remain in the Settlement Fund and accumulate interest until such future date.
- d. In light of the foregoing distributions provisions, the funds to be allocated for social service programs (from the Special Fund) in the first year is \$4.2 million. In accordance with the Detailed Plan of Allocation filed by the Claims Conference on June 10, 2005 and approved by the Court in its Final Order and Judgment, the escrow agent shall initially disburse a total of \$4,093,202.40 to the Claims Conference to be used for social service programs for Hungarian Nazi Victims in need.
- e. The difference between the \$4.2 million for programs (plus 1% of the first years' allocation for the Claims Conference's 1% cost reimbursement, i.e. \$42,000) and the \$4,093,202.40, i.e. \$148,797.60, represents approved administrative expenses which may only be paid from interest on the Special Fund. Accordingly, the

escrow agent shall, as soon as practicable on a monthly basis after the initial deposit of the Settlement Fund, transfer accumulated interest (except the interest allocable to the \$500,000 earmarked for the archive project) to the Claims Conference until it has transferred the sum of \$148,797.60 for the first year's administrative expenses.

f. The escrow agent may also deduct its fees from accumulated interest in the first year according to its agreement with Class Counsel, entered into as of December 21, 2005.

4. The panel of experts designated in Paragraph VI.A of the Settlement Agreement shall be known as the "Committee on the Hungarian Gold Train Archives Fund."

5. Up to a maximum of \$5,000, interest earned on the sum of \$500,000 earmarked in Section VI.A. of the Settlement Agreement for the archive, between the time Defendant deposits the Cash Payment until the disbursement to the recipient institution, shall be available for payment of modest expenses of the panel members. Class Counsel shall review each such request and, provided the request has been authorized by a majority of the panel and does not breach the \$5,000 maximum on total expenses, shall submit them to the escrow agent for prompt payment.

DONE AND ORDERED in chambers at the United States Courthouse, Miami, Florida,
this 22nd day of December, 2005.

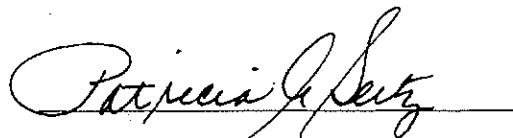

UNITED STATES DISTRICT JUDGE

Exhibit A**Schedule of Plaintiff Incentive Payments**

1	Edith Klein Amster	\$5,000
2	Francis Bash	\$5,000
3	Veronika Baum	\$5,000
4	Alice Besseney	\$2,000
5	Elisabeth Bleier	\$5,000
6	Erwin Deutsch	\$5,000
7	Dr. Joseph Devenyi	\$5,000
8	Peter Drexler	\$5,000
9	Barunch Bernhard Epstein	\$5,000
10	Magda Feig	\$2,000
11	Michael Fried	\$5,000
12	Paul Gottlieb	\$5,000
13	Judith Karmi	\$5,000
14	Ethel Klein	\$5,000
15	Mildred Klein	\$2,000
16	Tamas May	\$5,000
17	David Mermelstein	\$5,000
18	Irene Mermelstein	\$5,000
19	Edith Moore	\$5,000
20	John J. Rakos	\$5,000
21	Goerge Rasko	\$5,000
22	Ana Rosner	\$3,000
23	Irving Rosner	\$5,000
24	Georg Moshe Schwarz	\$5,000
25	Estate of Beorge Sebok	\$5,000

26	Dr. Laszlo Sokoly	\$2,000
27	Agnes V. Somjen	\$5,000
28	Olga Steiner	\$2,000
29	Jonas Stern	\$5,000
30	Irene Tibor	\$5,000
31	Andrew Tibor	\$5,000
32	Agnes Vadasz	\$5,000
33	Zoltan S. Weiss	\$5,000
34.	Ms. Edith Reiner	\$2,000