

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2016 JUN 13 PM 3:41

**IN THE UNITED STATES DISTRICT COURT OFFICE  
FOR THE DISTRICT OF MARYLAND**

BY \_\_\_\_\_ DEPUTY

IN RE MUTUAL FUNDS INVESTMENT  
LITIGATION  
This Document Relates to:  
Scudder Sub-track

MDL 1586

1:04-MD-15861-CCB

**~~RECEIVED~~ ORDER AUTHORIZING FINAL DISTRIBUTION OF  
SETTLEMENT PROCEEDS IN THE SCUDDER SUB-TRACK**

WHEREAS, by its Orders and Final Judgments entered in the Action on October 25, 2010 (Dkt. Nos.1407-1410) and its Order Approving Plan of Allocation of Settlement Proceeds in the Scudder Sub-Track entered on October 26, 2010 (Dkt. No. 1403), this Court approved the terms of the stipulations of settlement filed with the Court in the Scudder Sub-Track of MDL 1586– *In re Mutual Funds Investment Litigation* (the “Action”) (Dkt. Nos. 1326-9, 1326-11, 1326-14 and 1326-17) (the “Stipulations”) and the plan for allocating the settlement proceeds to eligible Class Members (the “Plan of Allocation”), respectively; and

WHEREAS, this Court has retained jurisdiction of this Action for the purpose of, among other things: considering any further application or matter which may arise in connection with the administration of the Settlements and the distribution of the Net Settlement Fund and the OAG/Canary Fund to the Class;

NOW, THEREFORE, upon reading: (1) the Declaration of Elizabeth K. Nelson in Support of Final Report and Accounting In The Scudder Sub-Track (the “Final Distribution Declaration”) submitted on behalf of the Claims Administrator; (2) the Memorandum in Support of Investor Class Plaintiffs’ Motion For Final Distribution Of Settlement Proceeds In The

Scudder Sub-Track (the "Final Distribution Memo"); and (3) the other submissions and papers on file with the Court; and upon all prior proceedings heretofore had herein, and after due deliberation, it is hereby

ORDERED, that all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Final Distribution Declaration and the Orders and Final Judgments entered in the Action on October 25, 2010; and it is further

ORDERED, that the administrative determinations of the Claims Administrator with regard to the Merrill Lynch accounts and the residual distribution described in the Final Distribution Declaration and Final Distribution Memo are approved; and it is further

ORDERED, that proceeds from the Net Settlement Fund shall be distributed (1) to the Merrill Lynch sub-account holders, in accordance with their respective pro rata shares and as described in the Final Distribution Declaration, pursuant to the Court-approved Plan of Allocation in proportion to each eligible account holder's claim as compared to the total Recognized Claims of all eligible account holders; and (2) to Eligible Accounts that have previously cashed a settlement check, in accordance with their respective pro rata shares and as described in the Final Distribution Declaration, pursuant to the Court-approved Plan of Allocation in proportion to each eligible account holder's claim as compared to the total Recognized Claims of all eligible account holders; and it is further

ORDERED, that the checks for distribution shall bear the notation "CASH PROMPTLY, VOID AND SUBJECT TO RE-DISTRIBUTION IF NOT CASHED BY [DATE 90 DAYS AFTER ISSUE DATE]." Investor Class Counsel and the Claims Administrator are authorized to take appropriate actions to locate and/or contact any eligible account holder who has not cashed his, her or its check within said time; and it is further

ORDERED, that eligible account holders who do not cash their checks within the time allotted will irrevocably forfeit all recovery from the Net Settlement Fund, and it is further

ORDERED, that following the expiration of the period for cashing such checks, the Claims Administrator shall distribute any funds remaining in the Net Settlement Fund directly to the Deutsche/Scudder Settlement Funds in accordance with the Settlement Agreement and Plan of Allocation; and it is further

ORDERED, that the Claims Administrator may receive payment from the Net Settlement Fund of \$398,918.16 for completion of the Settlement Administration, to be paid 50% upon entry of this Order and the remaining 50% upon distribution of any residual funds directly to the Deutsche/Scudder Settlement Funds in accordance with the Plan of Allocation and this Order; and it is further

ORDERED, that the Court finds that the administration of the Settlements and the proposed distribution of the Net Settlement Funds comply with the terms of the Stipulations and the Plan of Allocation and that all persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the account data submitted in this Action, or who are otherwise involved in the administration or taxation of the Settlement Fund, the Net Settlement Fund or the OAG/Canary Fund are released and discharged from any and all claims arising out of such involvement, and, pursuant to the release terms of the Settlements, all Class Members, whether or not they are to receive payment from the Net Settlement Fund and the OAG/Canary Fund are barred from making any further claims against the Net Settlement Fund and the OAG/Canary Fund or the parties released pursuant to the Settlements beyond the amount allocated to them pursuant to this Order; and it is further

ORDERED, that this Court retain jurisdiction over any further application or matter which may arise in connection with this Action.

Dated: 6/13, 2016

  
\_\_\_\_\_  
THE HONORABLE CATHERINE C. BLAKE  
UNITED STATES DISTRICT JUDGE