



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: **ORDER INSTRUCTING**
IN RE WORLD TRADE CENTER DISASTER : **ALLOCATION NEUTRAL TO**
SITE LITIGATION : **ISSUE PAYMENT**
: **INSTRUCTION REPORT**
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: 21 MC 100 (AKH)
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ALVIN K. HELLERSTEIN, U.S.D.J.:

By Order dated January 16, 2015, the Court authorized distribution of the January 2015 Contingent Payment to the Tier IV Plaintiffs pursuant to the Settlement Process Agreement, as Amended (the "SPA"). See Order Regulating Distributions to Tier IV Plaintiffs and Fixing Attorneys' Fees, No. 21 MC 100, ECF No. 3196 (S.D.N.Y. Jan. 16, 2015). That Order additionally authorized a flat fee of \$250,000 plus reasonable expenses to the law firm of Worby Groner Edelman & Napoli Bern LLP ("WGENB") for work performed in connection to the distribution. WGENB subsequently submitted expenses in the amount of \$891,713.70, far in excess of any amount sought in prior years. Following an audit performed by the Allocation Neutral, the Garretson Resolution Group, the Court ordered WGENB to show cause why the expense should not be disallowed. See Order to Show Cause, No. 21 MC 100, ECF No. 3232 (S.D.N.Y. June 10, 2015).

By letter to the Court dated June 15, 2015, WGENB waived all claims to the \$891,713.70 in reimbursable expenses previously sought. Accordingly, the issue is now moot and the Allocation Neutral is hereby ordered to issue the Payment Instruction Report as per the previously ordered Allocation Neutral protocols, without deducting \$891,713.70 in reimbursable expenses from the amount owed to the Tier IV Plaintiffs. See Order Regulating Distributions to

Tier IV Plaintiffs and Fixing Attorneys' Fees, No. 21 MC 100, ECF No. 3196, at *10-11
(S.D.N.Y. Jan. 16, 2015). Counsel shall do everything in their power to expedite the
disbursement to the Tier IV Plaintiffs and avoid any further delay.

SO ORDERED.

Dated: New York, New York
June 15, 2015

A handwritten signature in black ink, appearing to read "Alvin K. Hellerstein", written over a horizontal line.

ALVIN K. HELLERSTEIN
United States District Judge