1 2 3 4 5 6 6 7 8 9 9 UNITED STATES DISTRICT COURT 10 SOUTHERN DISTRICT OF CALIFORNIA 11 IN RE: 13 Boff HOLDING, INC. SECURITIES 14 UTIGATION. 15 ORDER (1) AUTHORIZING FINAL PAYMENT OF SETTLEMENT AND COSTS; (2) APPROVING CY PRES 16 DISTRIBUTION; AND (3) CLOSING THIS CASE 17 Now before the Court is Court-appointed Lead Plaintiff and Class 18 Presentative Houston Municipal Employees Pension System's ("Plaintiff") 18 Motion for an Order (1) Authorizing Final Payment of Settlement Administration 12 Costs; (2) Approving Cy Pres Distribution; and (3) Closing This Case. 13 On August 16, 2023, this Court approved the Court-appointed Claims 14 Administrator's determinations in accepting Claims for this Settlement; authorized 15 distribution of the Net Settlement Fund to Authorize Claimants whose Claims were 16 Case view of the Claims Administrator, JND 17 Legal Administration ("JND"), for past expenses relating to claims processing and	Case 3	:15-cv-02324-GPC-KSC	Document 407 of 3	Filed 12/04/24	PageID.9720	Page 1	
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$28 \parallel$ settlement administration costs; and authorized additional disbursements to JND, up	27						
	28	settlement administration	on costs; and aut	horized additiona	ll disbursements	s to JND, up	

to a maximum of \$25,773.33, for reasonable future expenses incurred by JND.
 ECF No. 403 at 5–6.

Plaintiff now informs the Court that JND has conducted a Settlement 3 distribution in accordance with the Court-approved Plan of Allocation. Plaintiff 4 requests the Court authorize a final reimbursement of \$31,942.46 in expenses JND 5 incurred in connection with the administration and distribution of the Settlement. 6 Plaintiff further informs the Court that there is an additional \$29,997.30 remaining 7 in the Net Settlement Fund, and Plaintiff and JND have determined it would not be 8 9 cost-effective to carry out another distribution of the Net Settlement Fund. Accordingly, Plaintiff requests that the Court approve distribution of this residual 10 amount to the proposed *cy pres* recipient Consumer Federation of America. See 11 ECF No. 403 at 5 (ordering that, "if Class Counsel in consultation with JND 12 determines that further distribution of the Net Settlement Fund to Authorized 13 Claimants is not cost-effective," Plaintiff may "contribute any residual amounts to a 14 charitable organization approved by the Court"). 15

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Good cause having been shown, the Court hereby orders as follows:

The Court authorizes payment of \$31,942.46 from the Net Settlement
 Fund to JND as compensation for expenses incurred in connection with claims
 processing, settlement administration, and settlement distribution.

20 2. The Court finds that the residual funds remaining in the Net Settlement Fund are non-distributable, and that further distribution of such funds to Claimants 21 would inefficient, burdensome, and not cost-effective. In addition, the Court finds 22 that the Investor Protection Section of the Consumer Federation of America is an 23 appropriate cy pres recipient, and finds that a cy pres remedy in this case bears a 24 direct and substantial nexus to the interest of absent class members. Accordingly, 25 26 Plaintiff shall distribute all residual funds remaining in the Net Settlement Fund to the Consumer Federation of America, located at 1620 I Street, NW, Suite 200, 27 Washington, DC 20006, with all funds earmarked for the Consumer Federation of 28

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1	America's Investor Protection Section.				
2	3. This Case is hereby closed. Within 30 days of the distribution of all				
3	remaining amounts from the Net Settlement Fund, Class Counsel is authorized to				
4	close the fund and, together with JND, terminate the claims administration process,				
5	including the settlement website and telephone hotline.				
6	IT IS SO ORDERED.				
7	Datad: Dacambar 4, 2024				
8	Dated: December 4, 2024				
9	Hon. Gonzalo P. Curiel				
10	United States District Judge				
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