

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE OSB ANTITRUST LITIGATION**

Master File No. 06-826

**THIS DOCUMENT RELATES TO:  
DIRECT PURCHASER ACTIONS**

**FILED**

AUG 22 2008

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**

**AND NOW**, this 22nd day of August, 2008, it is **ORDERED** that Plaintiffs' Motion for Preliminary Approval of a Settlement with Norbord (Doc. No 792), Motion for Preliminary Approval of a Settlement with Potlatch, Corp. (Doc. No. 809), Motion for Preliminary Approval of a Settlement with Weyerhauser, Co. (Doc. No. 825), Motion for Preliminary Approval of a Settlement with Grant Forest Products, Inc. and Grant Forest Products Sales (Doc. No. 837), and Motion for Preliminary Approval of a Settlement with Louisiana-Pacific (Doc. No. 839) are **GRANTED** as follows:

1. I find that the proposed Settlements (as set forth in the Settlement Agreements) subject to final determination following a hearing after Notice to the Class, are sufficiently fair, reasonable, and adequate to authorize dissemination of Notice of the Settlements to the previously certified

**ENTERED**  
AUG 22 2008  
CLERK OF COURT

**Litigation Class, which is defined as follows:**

**All individuals and entities in the United States who purchased OSB structural panel products directly from Defendants, or their subsidiaries or affiliates, during the period from June 1, 2002 to February 24, 2006 ("the Class"). Excluded from the Class are Defendants and subsidiaries and affiliates of Defendants and all federal, state, or local governmental entities.**

**2. I approve the form and content of the: (a) Combined Notice of Proposed Settlements with Remaining Defendants, Plan of Allocation, Petition for Attorneys' Fees, and Petition for Incentive Awards for Class Members ("Notice") (Doc. No. 871 Ex. A); (b) Summary Combined Notice of Proposed Settlements with Remaining Defendants, Plan of Allocation, Petition for Attorneys' Fees, and Petition for Incentive Awards for Class Members ("Summary Notice") (Doc. No. 871 Ex. B); and (c) Claim Form (Doc. No. 871 Ex. B).**

**3. I find that the mailing and publication of the Notices in the manner set forth constitute the best notice practicable under the circumstances, is due and sufficient notice to all persons entitled thereto and complies fully with the requirements of Federal Rule of Civil Procedure 23 and the due process requirements of the Constitution of the United States. As I explained in my August 7, 2008 Order (Doc. No. 863), I reject the objections**

of the Notice raised by the RV Class Members.

4. Within ten (10) days after the date of this Order, to the extent not previously provided to the Plaintiffs, Defendants shall provide to the Plaintiffs, in electronic format, the names and addresses of the members of the Class who purchased OSB structural panel products from it.

5. The Notice shall be mailed by first class mail, postage prepaid, on or about September 22, 2008 to all members of the Class identified by Defendants pursuant to the Settlement Agreements, and those persons whose names and addresses can be derived from the electronic transactional information produced by Defendants. The Notice also shall be provided to all persons who request it in response to the published Summary Notice provided for in Paragraph 6.

6. Plaintiffs' Class Counsel are hereby directed to cause a Summary Notice to be published on one occasion in the October edition of *LBM Journal*.

7. Any member of the Class who objects to the Settlements must do so in writing. The objection must include the caption of this case, be signed, and be received by the Court and Class Counsel no later than November 3, 2008 and shall otherwise comply with the requirements set forth in the

**Notices.**

**8. Plaintiffs' Class Counsel shall file with the Court and serve on the Parties their motion for final approval of the Settlement Agreements on or before November 10, 2008.**

**9. Plaintiffs' Class Counsel shall cause to be filed with the Clerk of this Court, and served upon counsel for Defendants, affidavits or declarations of the person under whose general direction the mailing of the Notice and the publication of Summary Notice were made, showing that mailing and publication were made in accordance with this Order on or before November 10, 2008.**

**10. I will hold a hearing on November 24, 2008 at 2 p.m. to determine the fairness, reasonableness, and adequacy of the proposed Settlements with Norbord, Potlatch, Weyerhaeuser, Grant and Louisiana-Pacific. Any Class Member who follows the procedure set forth in the Notices may appear and be heard at this hearing. The Hearing may be continued without further notice to the Class.**

**11. I approve the establishment of an escrow account, as set forth in the Settlement Agreements, as a "Qualified Settlement Fund" pursuant to Treas. Reg. §1.468B-1. The Court retains continuing jurisdiction over any**

issues regarding the formation or administration of the escrow account.

Class Counsel and their designees are authorized to expend funds from the escrow account to pay Taxes, Tax Expenses and Notice and Administration Costs, as set forth in the Settlement Agreements.

12. Complete Claims Solutions, LLC is approved to serve as Claims Administrator.
13. The litigation against Norbord, Potlatch, Weyerhaeuser, Grant, and Louisiana-Pacific in this Class Action is stayed.

IT IS SO ORDERED.

  
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Paul S. Diamond, J.