



Proposed Settlement of Class Action, Settlement Hearing and Right to Appear (“Summary Notice”), Doc. No. 705 at Ex. C-2.

4. The Court finds that the mailing and publication of the Notice in the manner set forth herein 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.

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

6. The Notice shall be mailed by first class mail, postage prepaid, on or about **April 22, 2008** to all members of the Tolko Settlement Class identified by Tolko pursuant to the Settlement Agreement, 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 7 herein.

7. Class Plaintiffs’ counsel are hereby directed to cause a Summary Notice to be published on one occasion in the **May** edition of *LBM Journal*.

8. All requests for exclusion from the Tolko Settlement must be postmarked so that they are received no later than **May 22, 2008** and must otherwise comply with the requirements set forth in the Notice.

\_\_\_\_\_9. Any member of the Tolko Settlement Class who objects to the settlement must do so in writing. The objection must include the caption of the case, be signed, and be **received** by the

Court and Class Counsel no later than **May 22, 2008** and shall otherwise comply with the requirements set forth in the Notices.

\_\_\_\_\_10. Class Plaintiffs' counsel shall file with the Court and serve on the parties their motion for final approval of the Settlement Agreement and request for ongoing litigation expenses on or before **May 26, 2008**.

\_\_\_\_\_11. Class Plaintiffs' 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 **May 26, 2008**.

\_\_\_\_\_12. The Court will hold a hearing (the "Hearing") on **May 29, 2008 at 2:00 p.m.** to determine the fairness, reasonableness, and adequacy of the proposed settlement with Tolko and whether to approve Class Counsel's request for ongoing litigation expenses. Any Tolko Settlement Class member who follows the procedures set forth in the Notices may appear and be heard at this hearing. The Hearing may be continued without further notice to the Settlement Class.

\_\_\_\_\_13. The Court approves the establishment of an escrow account, as set forth in the Settlement Agreement, 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 Administration Costs, as set forth in the Settlement Agreement.

14. Complete Claims Solutions, LLC is approved to serve as Claims Administrator.

15. The litigation against Tolko in this Class Action is hereby stayed.

This 14th day of April, 2008

/s/ Paul S. Diamond

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HONORABLE PAUL S. DIAMOND  
DISTRICT COURT, EASTERN  
DISTRICT OF PENNSYLVANIA