

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

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| _____) | |
| IN RE OSB ANTITRUST LITIGATION) | |
|) | |
|) | Master File No. 06-826 |
|) | |
| THIS DOCUMENT RELATES TO:) | |
| ALL DIRECT PURCHASER ACTIONS) | |
|) | |
|) | |
| _____) | |

ORDER

**PROPOSED ORDER GRANTING PRELIMINARY APPROVAL OF
PROPOSED SETTLEMENT WITH J.M. HUBER CORPORATION**

It is hereby ORDERED AND DECREED as follows:

1. The motion of Plaintiff class representatives Sawbell Lumber Co., Columbare, Inc., Norwood Sash & Door Manufacturing Co., Frontier Lumber Co., West Lumber Co., Grubb Lumber Co., Inc. and New Deal Lumber & Millwork Co., Inc. (collectively, "Plaintiffs") for preliminary approval of the proposed settlement with J.M. Huber Corporation ("Huber") is hereby GRANTED.

2. The Court finds that the proposed settlement with Huber, as set forth in the Settlement Agreement, subject to final determination following a hearing after notice to the Class, is sufficiently fair, reasonable and adequate to authorize dissemination of notice to the following Settlement Class (the "Huber Settlement Class"), for settlement purposes only:

All persons and entities that purchased OSB products within, to or from the United States from any of the defendants, or their subsidiaries or affiliates, during the period from June 1, 2002 to March 5, 2007.

3. The Court approves the form and content of the: (a) Notice of Pendency of Class Action, Proposed Settlement of Class Action, Settlement Hearing, Right to Appear, Method of

Distribution and Application for Award of Litigation Expenses (“Notice”) in Class Action, attached hereto as Exhibit A; and (b) Summary Notice of Pendency of Class Action, Proposed Settlement of Class Action, Settlement Hearing, Right to Appear, Method of Distribution and Application for Award of Litigation Expenses (“Summary Notice” and, together with the Notice, the “Notices”), which Direct Purchaser Plaintiffs filed as exhibits to Doc. No. 367.

4. The Court finds that the mailing and publication of the Notices in the manner set forth herein constitute the best notice practicable under the circumstances and 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, Huber shall provide to the Plaintiffs, in electronic format, the names and addresses of the members of the Class who purchased OSB products from them.

6. The Notices shall be mailed by first class mail, postage prepaid, on or about **June 4, 2007** to all members of the Huber Settlement Class identified by Huber 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 shall be provided to all persons who request them in response to the published Summary Notice provided for in Paragraph 7 herein.

7. Class Counsel are hereby directed to cause a Summary Notice, in the form attached hereto as Exhibit B, to be published, on or about **May 21, 2007**, on one occasion in *Random Lengths*.

8. All requests for exclusion from the Settlement Class must be postmarked so that they are **received** no later than **July 2, 2007** and must otherwise comply with the requirements set forth in the Notice.

9. Any member of the Settlement Class who objects to the settlement or plan of allocation 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 **July 2, 2007** and shall otherwise comply with the requirements set forth in the Notices.

10. Class Counsel shall file with the Court and serve on the parties their motion for final approval of the Settlement Agreement on or before **July 17, 2007**.

11. 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 **July 17, 2007**.

12. The Court will hold a hearing (the "Hearing") on **August 6, 2007 at 2 p.m.**, to determine the fairness, reasonableness, and adequacy of the proposed settlement with Huber and whether to approve Class Counsel's request for litigation expenses. Any Huber Settlement 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 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 and 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 Huber in this Class Action is hereby stayed.

This 8th day of May, 2007

/s Paul S. Diamond, J.

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