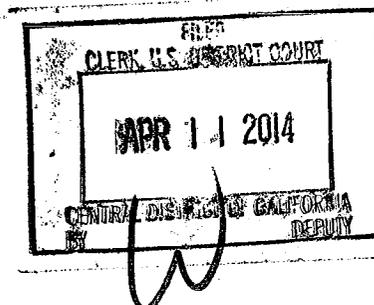1  JOSEPH J. TABACCO, JR.  #75484
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15              **UNITED STATES DISTRICT COURT**

16              **CENTRAL DISTRICT OF CALIFORNIA**

17                   **WESTERN DIVISION**

18 _____
                                          )
19 In re BROADCOM CORPORATION            )  Lead Case No.:  CV-06-5036-R (CWx)
   CLASS ACTION LITIGATION               )
20                                        )  [~~PROPOSED~~] **DISTRIBUTION**
                                          )  **ORDER FOR THE NET**
21                                        )  **SETTLEMENT FUND IN EY**
                                          )  **SETTLEMENT**
22                                        )
                                          )
23                                        )  **Honorable Manuel L. Real**
                                          )
24 _____)

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**WHEREAS:**

A.   As of September 27, 2012, Class Representative, New Mexico State Investment Council ("Class Representative"), acting on behalf of itself and the Class, entered into a Stipulation and Agreement of Settlement With Ernst & Young LLP (the "Stipulation") with Ernst & Young LLP ("EY" or "Defendant") in this consolidated action (the "Litigation").

B.   By Judgment entered December 5, 2012, the Court approved the Settlement of the Litigation as to Defendant Ernst & Young LLP in the amount of $13,000,000 in cash (the "Settlement Amount") and approved the proposed Plan of Allocation for the net settlement proceeds ("Net Settlement Fund").

C.   Class Representative, by motion filed on December 9, 2013, and on notice to counsel for EY, moved this Court for an order approving the Court-appointed Claims Administrator's administrative determinations and directing payment of Net Settlement Fund according to the proposed Distribution Plan for the Net Settlement Fund.

D.   The Court has duly considered Class Representative's motion, the declarations with annexed exhibits, the memorandum of law submitted in support thereof, and all of the submissions and arguments presented.

NOW, THEREFORE, after due deliberation, IT IS ORDERED, ADJUDGED AND DECREED that:

1.   This Order incorporates by reference the definitions in the Stipulation, and all capitalized terms used herein shall have the same meanings as set forth in the Stipulation.

2.   The administrative recommendations of The Garden City Group, Inc. ("GCG"), the Court-appointed Claims Administrator, to accept the Proof of Claim and Release forms ("Proofs of Claim"), including the late but otherwise eligible Proofs of Claim, as set forth in Exhibits B-1 and B-2 to the Declaration of Ellen E. Riley in Support of Class Representative's Unopposed Motion for a Distribution

[PROPOSED] DISTRIBUTION ORDER FOR THE NET SETTLEMENT FUND
CV-06-5036-R (CWx)

1  Order Approving Administrative Determinations and Directing Payment of the Net

2  Settlement Fund in EY Settlement ("Riley Declaration"), are hereby APPROVED.

3    3.    As determined by the Claims Administrator, wholly rejected or

4  otherwise ineligible Proofs of Claim are hereby REJECTED.

5    4.    The Distribution of the Net Settlement Fund to Authorized Claimants

6  is hereby AUTHORIZED and shall be conducted in accordance with the

7  Distribution Plan for Payment of the Net Settlement Fund, set forth in paragraphs

8  43-44 of the Riley Declaration, which is hereby APPROVED.

9    5.    If necessary, up to the point of the Distribution, the Claims

10  Administrator may adjust claims received to account for new information.

11    6.    At least six months after the Distribution, if there is a remaining

12  balance in the Net Settlement Fund such that it is cost effective to redistribute the

13  remaining funds, an additional distribution to Authorized Claimants who have

14  cashed their Distribution checks and who would receive at least an amount

15  established by Class Representative to address cost benefit issues shall occur (the

16  Supplemental Distribution), after the payment of any estimated taxes and tax

17  expenses, the payment of additional administrative fees and expenses related to

18  said Supplemental Distribution, and any necessary adjustments to claims for good

19  cause shown, with additional redistributions thereafter in six-month intervals until

20  GCG and Class Representative determine that further redistribution is not cost-

21  effective.

22    7.    New Proofs of Claim in the EY Settlement received after December 8,

23  2013 will be rejected as untimely and will not be accepted for any reason.

24    8.    A payment in the amount of $259,313.81 from the Settlement Fund

25  for the outstanding fees and expenses of the Claims Administrator, The Garden

26  City Group, Inc., in payment for the balance of its fees and expenses in connection

27  with the administration of the Settlement and its fees and expenses to be incurred

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1   in connection with the Distribution of the Net Settlement Fund is hereby

2   APPROVED.

3       9.      GCG is authorized to destroy paper copies of the Proofs of Claim and

4   all supporting documents one year after the Distribution of the Net Settlement

5   Fund, and to destroy electronic copies of the same three years after the Distribution

6   of the Net Settlement Fund.

7       10.     The Court retains jurisdiction to consider any further applications

8   concerning the administration of the Settlement, and such other and further relief

9   as this Court deems appropriate.

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11  Dated: _____April____11_____, 2014

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13  _____

14  Honorable Manuel L. Real
    UNITED STATES DISTRICT JUDGE

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