

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA

3 TREVOR MILD, Individually
4 and on Behalf of All Others Similarly
5 Situated,

6 Plaintiff,

7 v.

8 PPG INDUSTRIES, INC., MICHAEL
9 H. MCGARRY, VINCENT J.
10 MORALES, and MARK C. KELLY,

11 Defendants.

Case No.: 2:18-cv-04231-RGK-JEM

Honorable R. Gary Klausner

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13 **[PROPOSED] ORDER APPROVING**
14 **PLAN OF ALLOCATION OF NET SETTLEMENT FUND**

15 This matter came on for hearing on October 21, 2019 (the “Settlement
16 Hearing”) on Lead Plaintiff’s motion to determine whether the proposed plan of
17 allocation of the Net Settlement Fund (“Plan of Allocation”) created by the
18 Settlement achieved in the above-captioned consolidated class action (the “Action”)
19 should be approved. The Court having considered all matters submitted to it at the
20 Settlement Hearing and otherwise; and it appearing that notice of the Settlement
21 Hearing substantially in the form approved by the Court was mailed to all
22 Settlement Class Members who or which could be identified with reasonable effort,
23 and that a summary notice of the hearing substantially in the form approved by the
24 Court was published in *Investor’s Business Daily* and was transmitted over the *PR*
25 *Newswire* pursuant to the specifications of the Court; and the Court having
26 considered and determined the fairness and reasonableness of the proposed Plan of
27 Allocation,

1 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

2 1. This Order approving the proposed Plan of Allocation incorporates by
3 reference the definitions in the Stipulation and Agreement of Settlement dated June
4 1, 2019 (D.E. 119-1) (the “Stipulation”) and all capitalized terms not otherwise
5 defined herein shall have the same meanings as set forth in the Stipulation.

6 2. The Court has jurisdiction to enter this Order approving the proposed
7 Plan of Allocation, and over the subject matter of the Action and all parties to the
8 Action, including all Settlement Class Members.

9 3. Notice of Lead Plaintiff’s motion for approval of the proposed Plan of
10 Allocation was given to all Settlement Class Members who could be identified with
11 reasonable effort. The form and method of notifying the Settlement Class of the
12 motion for approval of the proposed Plan of Allocation satisfied the requirements of
13 Rule 23 of the Federal Rules of Civil Procedure, the Private Securities Litigation
14 Reform Act of 1995 (15 U.S.C. § 78u-4(a)(7)), due process, and all other applicable
15 law and rules, constituted the best notice practicable under the circumstances, and
16 constituted due and sufficient notice to all persons and entities entitled thereto.

17 4. Copies of the Notice, which included the Plan of Allocation, were
18 mailed to over 270,000 potential Settlement Class Members and nominees and no
19 objections to the proposed plan were submitted.

20 5. The Court hereby finds and concludes that the formula for the
21 calculation of the claims of Claimants as set forth in the Plan of Allocation provided
22 to Settlement Class Members provides a fair and reasonable basis upon which to
23 allocate the proceeds of the Net Settlement Fund among Settlement Class Members
24 with due consideration having been given to administrative convenience and
25 necessity.

26 6. The Court hereby finds and concludes that the Plan of Allocation is, in
27 all respects, fair and reasonable to the Settlement Classes.

28 7. There is no just reason for delay in the entry of this Order, and

1 immediate entry by the Clerk of the Court is expressly directed.
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3 SO ORDERED this 22nd day of November, 2019.
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7 The Honorable R. Gary Klausner
8 United States District Judge
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