

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

DANIELLE WOOTEN, ET AL.)
Plaintiff,)
v.) Case No. 99-0990-CV-W-3-ECF
DILLARD’S, INC.,)
Defendant.)

ORDER APPROVING SECOND DISTRIBUTION TO CLASS MEMBERS

Upon the Status Report on Settlement Administration and Motion to Approve Second Distribution to Class Members (“Status Report and Motion”), the Court hereby approves the accounting provided with regard to the settlement funds in this case and the administration of this Settlement, to date, by Class Counsel and the Settlement Administrator. The Court additionally Orders as follows:

1. Notice provided to Class Members of this Class Action Settlement was appropriate and reasonable. Notice of this Settlement was published, and direct notice of the Class Action Settlement was sent out to the last known addresses of Class Members. With regard to mailed notices that were returned as undeliverable, the Settlement Administrator performed reasonable efforts to locate those Class Members. The Court accordingly finds that the Settlement Administrator has exhausted all reasonable attempts to locate Class Members who have not, to date, come forward and filed Verification Forms which confirm their membership in the Class and request a monetary award in this matter.

2. Pursuant to the Stipulation and Settlement Agreement and the Final Approval Order, a second distribution is to be made to Class Members of any monies remaining in the Settlement Fund following the exhaustion of reasonable attempts to locate Class Members. Total distributions in the amount of \$2,919,500.00 have been made to the 2508 Class Members who

responded to the Notice and filed valid Verification Forms. After payment of taxes, expenses, and all other costs, there is a balance of \$708,186.18 in the settlement funds.

3. The Court further Orders that a second distribution be made to Class Members as requested by Class Counsel and as set forth in Exhibit B to the Status Report and Motion.

4. The Court also approves the Settlement Administrator continuing its efforts to locate the approximately 25 Class Members who responded to the Notice and who timely filed Verification Forms, but who have either not received or not negotiated their initial distribution checks.

5. Class Counsel are to provide a final accounting at an appropriate time following the second distribution to Class Members as provided for in this Order.

IT IS SO ORDERED.

DATE: October 17, 2002

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT