

SUPREME COURT OF THE UNITED STATES

DELAWARE, *Plaintiff*

Nos. 220145 & 220146

v.

(Consolidated)

ARKANSAS, *et al.*, *Defendants*

**STIPULATION AND ORDER FOR DISBURSEMENT OF FUNDS FROM
ESCROW**

The parties to the above-captioned litigation and MoneyGram Payment Systems, Inc. (“MoneyGram”), by and through their respective undersigned attorneys, hereby stipulate to the entry by the Court of the Order below concerning the disbursement of funds deposited by MoneyGram in the Court Registry Investment System (“CRIS”) of the United States District Court for the Southern District of New York in connection with this litigation:

ORDER FOR DISBURSEMENT OF FUNDS FROM ESCROW

The parties have made substantial progress in settlement discussions, and have advised that those efforts would be advanced by the entry of this Order establishing a procedure for the disbursement of funds held in escrow pursuant to any settlement the parties may execute. I find that there is good cause, and hereby issue the following FINDINGS AND ORDER:

I am authorized to direct the disbursement of funds from escrow. On February 20, 2018, then-Chief Judge Robert A. Katzmann issued an Order designating me to sit as a District Court Judge for the Southern District of New York for matters relating to this case. Case number 1:18-mc-00064 was initiated in that court and an escrow account was opened in the Court Registry Investment System at my direction. MoneyGram Payment Systems, Inc. has deposited funds in that CRIS account in connection with this case.

Attorneys Craig Rust and Michael Sapoznikow, who represent the State of California, or another designee of the State of California, shall be admitted *pro hac vice* to the Southern District of New York in connection with case number 1:18-mc-00064. To gain PACER access, they should follow the procedures used by attorneys who have been admitted via oral motion as reflected on the Southern District of New York website.

Upon entry of this Order, counsel for the State of California shall file a notice in case number 1:18-mc-00064 attaching this order and shall serve that notice upon the CRIS administrator for the Southern District of New York.

If and when the parties execute a settlement agreement, they shall file a notice of settlement with the Special Master that shall specify, as set forth in an attachment to the settlement agreement, the amount of principal in the CRIS account due to: 1) each party; and 2) MoneyGram for MoneyGram to report and distribute, as required by law, to the appropriate non-party sovereigns. Then, counsel for the State of California shall file the notice of settlement in case number 1:18-mc-00064 and serve it upon the CRIS administrator for the Southern District of New York.

Within two business days after the first day of the following month, the CRIS administrator for the Southern District of New York shall provide counsel for the State of California an updated account statement for the account associated with case number 1:18-mc-00064.

Counsel for the State of California, working with accounting consultants, shall calculate the precise interest amounts due to each party and to MoneyGram. The calculations shall use the principal amounts specified in the notice of settlement and shall calculate pro-rata interest earned by each abandoned instrument across its total time in escrow, using the method described in Defendants' prior filings. *See* Dkts. 170-172.

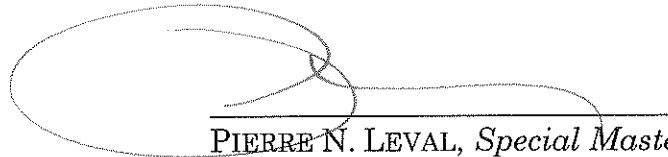
Counsel for the State of California shall provide the proposed interest-payment calculations to counsel for all the parties. If a party objects to the proposed interest-payment calculations, the party shall articulate the objection to counsel for all the other parties within two business days of receipt of the proposed interest-payment calculations and seek to resolve the disagreement amicably. If the parties cannot resolve the disagreement, within seven business days of having transmitted the proposed interest-payment calculations, counsel for the State of California shall submit the completed calculations to me and shall notify me which party has objected to the calculation of interest. The objecting party shall promptly articulate the objection to me, and I will issue a further order regarding the disposition of funds from the CRIS account.

If no party objects to the payment calculations, then following the expiration of the two-day period for articulating objections, counsel for the State of California shall submit to the CRIS administrator directions for the disbursement of the escrowed funds consistent with the terms of the settlement agreement and the interest calculations. The CRIS administrator shall disburse the funds according to those directions. Any remaining funds not accounted for in the directions shall be distributed to MoneyGram. Once the balance in the CRIS account is \$0, the CRIS administrator shall close the account.

At any point before, and no more than 21 days after the disbursement of funds by the CRIS administrator, MoneyGram shall transmit to each Defendant State reports in the standard format approved by the National Association of

Unclaimed Property Administrators for the Escrowed Official Checks corresponding to the instrument that Defendant State has taken custody over as part of the disbursement.

IT IS SO ORDERED.



PIERRE N. LEVAL, *Special Master*
Thurgood Marshall United States
Courthouse
40 Foley Square, Room 1901
New York, New York 10007
(212) 857-2310

AGREED:

/s/ Neal Katyal
Neal Katyal
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, D.C. 20004
neal.katyal@hoganlovells.com
Counsel for Delaware

/s/ Nicholas J. Bronni
Nicholas J. Bronni
OFFICE OF THE ARKANSAS
ATTORNEY GENERAL
323 Center Street, Suite 200
Little Rock, Arkansas 72201
Nicholas.Bronni@arkansasag.gov
*Counsel for Arkansas and Plaintiff
States in 220146*

/s/ Craig Rust
Craig Rust
CALIFORNIA DEPARTMENT OF
JUSTICE
1300 I Street
Sacramento, CA 95814
craig.rust@doj.ca.gov
Counsel for California

/s/ Joshua J. Voss
Joshua J. Voss
KLEINBARD LLC
Three Logan Square
1717 Arch Street, 5th Floor
Philadelphia, PA 19103
jvoss@kleinbard.com
Counsel for Pennsylvania

/s/ Ryan D. Walters
Ryan D. Walters
OFFICE OF THE ATTORNEY
GENERAL OF TEXAS
P.O. Box 12548 (MC-009)
Austin, TX 78711
ryan.walters@oag.texas.gov
Counsel for Texas

/s/ Karla Keckhaver
Karla Keckhaver
WISCONSIN DEPARTMENT OF
JUSTICE
P.O. Box 7857
Madison, WI 53707
keckhaverkz@doj.state.wi.us
Counsel for Wisconsin

/s/ Michael Rato

Michael Rato
REED SMITH LLP
599 Lexington Avenue
New York, NY 10022-7650
212 521 5400
mrato@reedsmith.com

*Counsel for MoneyGram Payment
Systems, Inc.*

Dated: July 1, 2024