

Supreme Court of the United States

DELAWARE, *Plaintiff*,

v.

Nos. 145 & 146 (Consolidated)

ARKANSAS, *et al.*, *Defendants*.

August 15, 2024

DEFENDANT STATES' STIPULATION AND ORDER MODIFYING PROCEDURE FOR DISBURSEMENT OF FUNDS FROM ESCROW

The states of Alabama, Arkansas, Arizona, California, Colorado, Florida, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Montana, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming (“Defendant States”)¹ hereby stipulate and move for an order modifying the procedure for disbursement of funds from escrow, as follows:

Certain litigation expenses in this action have been borne by the states of Arkansas, California, Texas, and Wisconsin for the benefit of the Defendant States as a group (the “Covered Litigation Expenses”). The Defendant States have reached a separate agreement regarding what constitutes the Covered Litigation Expenses. The Defendant States agree that the Covered Litigation Expenses should be reimbursed to the states that paid them, and that each of the Defendant States should bear a fair share of those expenses, pro rata, based on their recovery in this action.

Accordingly, the states of Arkansas, California, Texas, and Wisconsin shall specify the amounts of the Covered Litigation Expenses they have each paid, and provide that information to the accounting consultants retained by the State of California. The accounting consultants shall sum those expenses, and then assign a pro rata share of the total Covered Expenses to each of the Defendant States based on their proportion of the Defendant States’ total recovery in this action.

When the accounting consultants calculate the total disbursements of escrowed funds pursuant to the July 1, 2024 Order regarding disbursement of funds

¹ In this Stipulation, the term “Defendant States” does not include Pennsylvania.

from escrow, the accounting consultants shall (i) increase the disbursements for Arkansas, California, Texas, and Wisconsin in the amounts of Covered Litigation Expenses each of those Defendants reported, and (ii) decrease the disbursements for each of the Defendant States (including Arkansas, California, Texas, and Wisconsin) by their pro rata share of the Covered Expenses.

This Stipulation and Order does not change the escrow disbursements for Delaware, Pennsylvania, or MoneyGram, and none of the Covered Litigation Expenses shall be deducted from their recovery. Delaware, Pennsylvania, and MoneyGram have advised that they do not oppose this Stipulation and Order.

/s/ Nicholas J. Bronni

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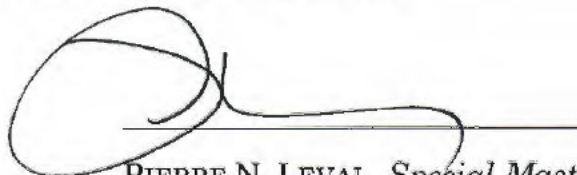
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PURSUANT TO STIPULATION, IT IS SO ORDERED



PIERRE N. LEVAL, *Special Master*

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