

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MYRON WEINER, NICHOLAS SITNYCKY,)	
RONALD ANDERSON and ROBERT)	
FURMAN, On Behalf of Themselves and All)	
Others Similarly Situated,)	No. 98 C 3123
)	
Plaintiffs,)	Judge Pallmeyer
)	
vs.)	
)	
THE QUAKER OATS COMPANY and)	
WILLIAM D. SMITHBURG,)	
)	
Defendants.)	

**ORDER PERMITTING SUPPLEMENT DISTRIBUTION OF FUNDS
RECOVERED BY THE UNITED STATES DEPARTMENT OF JUSTICE**

WHEREAS, this court entered an order and final judgment dated September 14, 2001, approving the terms of the Stipulation and Agreement of Settlement dated June 22, 2001 in the above-reference class action;

WHEREAS, this court entered an order dated January 30, 2003, approving the administrative determinations of Gilardi & Co. LLC, the claims administrator for the settlement of the action, and directing the distribution of the net settlement fund to eligible claimants (“Distribution Order”);

WHEREAS, on or about May 23, 2003, pursuant to the Distribution Order, Gilardi distributed the net settlement fund in this matter to eligible claimants;

WHEREAS, pursuant to the Distribution Order, in August 2006, Gilardi made a residual distribution to eligible claimants who deposited or otherwise negotiated their initial distribution checks and who were eligible to receive at least \$10.00 in the residual distribution;

WHEREAS, pursuant to the Distribution Order, after the residual distribution, Gilardi sent a check in the amount of \$3,157.01 to the Chicago Volunteer Legal Service, representing the amount remaining in the net settlement fund after the residual distribution was completed;

WHEREAS, in June 2013, Gilardi received a payment representing criminal restitution made by Alvin J. Bosgang (“Bosgang”) after his conviction on charges that he had filed fraudulent claims in a number of class action settlement distributions, including this matter

WHEREAS, Gilardi has determined that, of the criminal restitution received by Gilardi from United States Department of Justice recovery from Bosgang, \$152,058.24 is traceable to a fraudulent claim he filed in this matter (the “Restitution Fund”).

NOW THEREFORE, upon review of the co-lead plaintiffs’ motion to permit distribution of funds recovered by the United States Department of Justice, the memorandum in support of the motion and the affidavit of Lara McDermott of Gilardi & Co. LLC, the claims administrator in this matter,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Gilardi & Co. LLC is directed to distribute the Restitution Fund, less anticipated administrative fees and costs, to eligible claimants who negotiated their initial distribution checks and who will receive a distribution of at least \$10.00;
2. Should any portion of the Restitution Fund remain 150 days after the date of the checks issued pursuant to this order and after reasonable and diligent efforts have been made to have the eligible claimants cash their distributions, then such remaining balance shall be contributed to the Chicago Volunteer Legal Services;
3. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of distribution of funds directed by this order, are released and discharged from any and all claims arising out such involvement and

all class members, whether or not they are to receive payments as provided pursuant to this order, are barred from making any further claim against the fund or the released persons beyond the amount allocated to them pursuant to this order;

4. This court retains jurisdiction over any further application or matter which may arise in connection with this action.

DATED: June 18, 2014



REBECCA R. RAMIREZ
United States District Judge