

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TIFFANY M. HUGHES, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ACCRETIVE HEALTH, INC., *et al.*,

Defendants.

Civil Action No. 13-cv-3688

Honorable Joan B. Gottschall

ORDER AUTHORIZING THE DISTRIBUTION OF THE NET SETTLEMENT FUND

WHEREAS:

1. In the above-captioned litigation, the Claims Administrator has completed the administration of the Settlement Fund, including processing all submitted Proofs of Claim, and is now prepared, with the approval of the Court, to distribute the proceeds of the Settlement;

2. On June 28, 2016 and July 12, 2016, the Court entered Final Orders (ECF Nos. 121, 123), which, *inter alia*, approved the Plan of Allocation of settlement proceeds and retained jurisdiction over the litigation for all matters relating to the consummation of the Settlement;

3. As set forth in the Preliminary Approval Order (ECF No. 108), and the Notice of the Settlement disseminated to potential Class Members, the deadline for Class Members to submit claims to participate in a distribution from the Net Settlement Fund was July 6, 2016;

4. As reflected in the Declaration of Nashira McCoy in Support of Motion for Order For Distribution of Net Settlement Fund ("McCoy Declaration"), the Claims Administrator has completed the process of reviewing all submitted claims and has made a recommendation as to the eligibility of each submitted claim;

5. Lead Plaintiff and the Claims Administrator now seek authorization to distribute the Net Settlement Fund to Authorized Claimants; and

6. After reviewing the Motion for an Order Authorizing Distribution of the Net Settlement Fund, the McCoy Declaration, and all other exhibits and papers submitted in support thereof, the Court has determined that good cause exists for the relief requested.

THEREFORE, IT IS HEREBY ORDERED as follows:

1. All timely filed claims that the Claims Administrator has determined to be eligible (listed in Exhibit A(1) of the McCoy Declaration) are approved for payment from the Net Settlement Fund;

2. 76 of the 271 late claims submitted after the July 6, 2016 deadline for filing claims and before March 31, 2017, but otherwise determined to be eligible by the Claims Administrator (McCoy Declaration, at ¶ 19), as set forth in Exhibit A(1) of the McCoy Declaration, are also approved for payment from the Net Settlement Fund;

3. All claims that the Claims Administrator has determined to be ineligible or unacceptable, listed in Exhibit A(2) of the McCoy Declaration, are disallowed and shall not be paid;

4. No claim received on or after March 31, 2017, may be accepted for any reason whatsoever, and no further adjustments to claims may be made for any reason after March 31, 2017;

5. The amount of \$198,235.93 shall be reserved from the Settlement Fund to pay the Claim Administrator's anticipated future fees and expenses through the end of the initial distribution;

6. The entire balance of the Net Settlement Fund, after deducting the payments previously allowed and requested herein, and after the payment of any estimated taxes and the costs of preparing appropriate tax returns and any escrow fees, shall be distributed to the Authorized Claimants listed in Exhibit A(1) of the McCoy Declaration based on each Authorized Claimant's total Recognized Loss in comparison to the total dollar value of the Net Settlement Fund at the time of distribution, capping the recovery for call and put option payments at 10% of the Net Settlement Fund;

7. All distribution checks issued to Authorized Claimants shall bear the notation: "CASH PROMPTLY, VOID 90 DAYS AFTER ISSUE DATE";

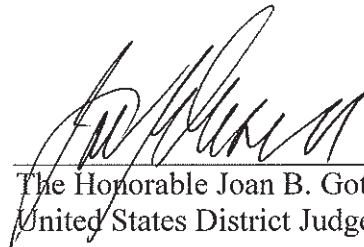
8. If economically feasible, any funds remaining in the Net Settlement Fund (whether by reason of tax refunds uncashed checks, or otherwise) shall be allocated in a second distribution among Authorized Claimants in an equitable and economic fashion, consistent with the Plan of Allocation, but if a second distribution is not economically feasible, the balance of the Net Settlement Fund shall be donated to the nonprofit §501(c)(3) organization designated by Lead Plaintiff, The Chicago Bar Foundation;

9. Any further claims against the Net Settlement Fund beyond the amount allocated to Authorized Claimants are barred; and

10. The Claims Administrator shall be permitted to destroy paper copies of Proofs of Claim and all supporting documentation one year after the final distribution, and all electronic copies of the same three years after all funds have been distributed.

IT IS SO ORDERED.

DATED: May 3, 2017



The Honorable Joan B. Gottschall
United States District Judge