

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No.
	)	1:96CV01285 (TFH)
RYAN ZINKE, Secretary of the Interior, et al.,	)	
	)	
Defendants.	)	
	)	
	)	

**ORDER ON PLAINTIFFS' UNOPPOSED MOTION TO MODIFY JANUARY 24, 2017 ORDER REGARDING SETTLEMENT DISTRIBUTIONS AND TO PERMIT TRANSFERS FROM WHEREABOUTS UNKNOWN ACCOUNTS TO THE CLAIMS ADMINISTRATOR WHERE ADDRESSES HAVE BEEN IDENTIFIED**

Upon consideration of Plaintiffs unopposed motion to (1) modify this Court's January 24, 2017 Order [Dkt. No. 4247] as it affects information and procedures that the Claims Administrator may use for settlement distributions, and (2) permit transfers by Interior to the Claims Administrator of funds held in whereabouts unknown ("WAU") accounts where addresses have been identified, it is hereby ordered as follows:

1. That by December 27, 2017, the Claims Administrator will provide to Interior a list of (a) deceased Class Members that it reasonably believes had an estate pending in federal probate on November 27, 2017 ("Pending Probates"), and (b) closed probates on which it has not yet received information from Interior.

2. That by March 27, 2018, Interior will provide to the Claims Administrator (a) information showing which deceased Class Members on the list have Pending Probates or closed probates; and (b) documentation of any closed probates. Interior will thereafter provide the Claims Administrator with information on closed probates when the Pending Probates are closed.

3. That the parties and Claims Administrator will meet and confer after March 27, 2018 regarding the WAU accounts, and plaintiffs will file a report with the Court stating the number of accounts and total balance of those accounts that Plaintiffs believe qualify for transfer to the Scholarship Fund.

4. That through March 27, 2018, the Claims Administrator may continue to request, receive, and review information from any source that it believes is necessary to enable it to distribute Historical Accounting and Trust Administration Payments to Class Members and their heirs. This deadline does not limit or restrict any information that the Claims Administrator may receive from Interior and consider in disbursing payments.

5. That by March 27, 2018, the Claims Administrator will identify those estates of deceased Class Members pending in Oklahoma state court as provided by OILS and the amounts to which those estates are entitled under the settlement. Those amounts shall be paid to the heirs upon completion of their respective probates or as otherwise ordered as part of those probate proceedings;

6. That where the Claims Administrator has identified the address of a Class Member whose funds had previously been transferred to an IIM account at Interior because he or she was deemed WAU, and the Claims Administrator has provided this information to Interior by April 30, 2018, Interior be given 90 days from the date of identification to determine whether to transfer those funds back to the Claims Administrator so that they may be distributed from the Settlement Account to the Class Member entitled to those funds or to transfer those funds to the Class Member directly from his or her IIM account; and

7. That Plaintiffs file a motion for a second interim distribution to the Scholarship Fund by January 19, 2018.

SO ORDERED

This the 20<sup>th</sup> day of December, 2017.

A handwritten signature in blue ink, reading "Thomas F. Hogan". The signature is written in a cursive style with a large, sweeping flourish at the end.

Honorable Thomas F. Hogan  
Senior District Court Judge