

IN THE JACKSON CIRCUIT COURT
STATE OF INDIANA

STEVE LOKEY
Plaintiff,

v.

CASE NO. 36C01-0803-CT-3

HUKILL OIL COMPANY INC.,
MR. LUBIE, and
MARLIN HUKILL (also known as Bud Hukill),
Defendants

** ** * ** ** *

FINAL ORDER APPROVING SETTLEMENT

This matter having come before the Court for a Final Hearing to Approve the Class Action Settlement in this matter; And the Plaintiff having appeared in person and with counsel, Peter D. Palmer; And the Defendants having appeared by counsel, Donn H. Wray;

And Counsel for Plaintiff having advised the Court that publication of Notice of the date and time of the Final Hearing had been published in the Seymour Tribune, Bloomington Herald-Times and Columbus Republic newspapers and presented the Court with copies of Proof of Publication from each newspaper; The Proof of Notice from each paper was admitted as Exhibit 1.

The Court having determined that no Objections or Complaints regarding the proposed Class Action Settlement were filed with the Court or sent to Counsel for the Plaintiff following publication of Notice of the Final Hearing date and deadlines to file said Objections having passed;

The Court having heard from counsel for both parties regarding the stipulations that the Indiana Attorney General's office would serve as the Claims Administrator for the processing of any settlement payments; And the parties having presented the Court with the proposed Claim Form which the Indiana Attorney General would provide to any Class Members seeking refunds

pursuant to the Settlement herein; The Claim form was admitted as Exhibit 2 and approved by the Court;

And Counsel for the Plaintiff having advised the Court of the Stipulation of Parties that (a) his attorney fee in the amount of Twelve Thousand Dollars (\$12,000.00) would be paid from the Settlement Funds herein; (b) his case costs in the amount of Six Hundred Fifty-Seven Dollars and Sixty-Six Cents (\$657.66) would be reimbursed from the Settlement Funds; and (c) that Plaintiff, Steve Lokey, would receive the sum of One Thousand Dollars (\$1,000.00) for his efforts as Class Representative) to be paid from the Settlement Funds;

And Counsel for the Defendant having advised the Court that the settlement amount of Fifty Thousand Dollars (\$50,000.00) was being maintained in the Trust account of Rubin & Levin, P.C.; that the aforementioned sums for the Attorneys fees of Counsel for Plaintiff, the reimbursable case expenses and the Class Representative Fee would be distributed from the Trust Account to Counsel for Plaintiff upon entry of the Final Order Approving Settlement, with the remainder amount of \$36,342.34 to be tendered directly to the Indiana Attorney General's Office for payment of any claims received;

NOW, THEREFORE IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

1. The Class Settlement in this case in the amount of Fifty Thousand Dollars (\$50,000.00) is hereby APPROVED by the Court as a full and final settlement of all claims of the Class asserted herein;

2. Based upon the Proof of Notice forms submitted by the parties as Exhibit 1, the Court finds that proper notice to all members of the Class has been given;

3. The Attorney's Fee request of counsel for the Plaintiff in the amount of Twelve Thousand Dollars (\$12,000.00) is hereby approved, as is the request for reimbursement of the costs and expenses associated with this action in the amount of Six Hundred Fifty Seven Dollars and Sixty-Six Cents (\$657.66), and these two amounts may be paid directly to counsel for the Plaintiff from the settlement proceeds presently in trust by the Defendants' bankruptcy counsel, Rubin & Levin, P.C.;

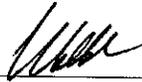
4. The Class Representative's fee for Plaintiff, Steve Lokey, in the amount of One Thousand Dollars (\$1,000.00) is hereby approved and may be paid directly to counsel for the Plaintiff from the settlement proceeds presently in trust by the Defendants' bankruptcy counsel, Rubin & Levin, P.C.;

5. The remaining settlement funds following the above payments in the amount of \$36,342.34 may be to be tendered directly to the Indiana Attorney General's Office for payment of any claims received from the funds held in trust by the Defendants' bankruptcy counsel, Rubin & Levin, P.C.;

6. The Indiana Attorney General's office shall administer the claims process through July 31, 2011, at which time the claims process will be closed; After the time for submission of claims is closed, the Indiana Attorney General's office will provide a final accounting of claims received and claims paid to counsel for the Plaintiff, who will then file a Final Reporting to this Court within thirty (30) days thereafter. At the conclusion of the claims pay-out period, any unclaimed settlement funds remaining will be provided to the Indiana Attorney General's Office of Consumer Protection and shall be the property of the State of Indiana Attorney General's Office of Consumer Protection.

7. Upon the filing of the Final Reporting as required in rhetorical paragraph six (6) above, the Court shall show the Judgment herein to be fully satisfied and released.

SO ORDERED this 3rd day of May, 2011.



Judge, William E. Vance

Tendered by: Peter D. Palmer, #18821-39

Copies to:

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