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18 SUPERIOR COURT OF THE STATE OF CALIFORNIA
19 COUNTY OF SAN DIEGO
20 (UNLIMITED JURISDICTION)

21 Coordination Proceeding Special Title (Rule 1550(b)):
22 NATURAL GAS ANTI-TRUST CASES
23 I, II, III & IV

J.C.C.P. Nos. 4221, 4224, 4226 & 4228
The Honorable Ronald S. Prager
Coordination Trial Judge

24 This Document Relates to:
25 All Class Action Cases

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' EX PARTE
APPLICATION FOR ORDER
AUTHORIZING INITIAL
DISTRIBUTION OF PRICE
INDEXING SETTLEMENT
PROCEEDS AND SEMPRA
SETTLEMENT PROCEEDS TO
NON-CORE CLAIMANTS**

Date: November 14, 2008
Time: 8:30 a.m.
Dept.: 71

F I L E D
Clerk of the Superior Court
NOV 14 2008
By: LEE RYAN, Deputy

TRANSACTION 22346400

1 Class Plaintiffs' *ex parte* application for an order authorizing an initial distribution
2 of the proceeds of the settlements entered into with the Sempra Defendants (the "Sempra
3 Settlement") and in the Price Indexing Cases (the "Price Indexing Settlements") to the members
4 of the Non-Core Natural Gas Subclass (the "Subclass") came on for hearing on November 14,
5 2008. Based on the *ex parte* application, the accompanying memorandum of points and
6 authorities, the accompanying Report and Declaration of Settlement Administrator Regarding
7 Non-Core Claims, and the accompanying declarations of Barry Himmelstein and Brad Baker,
8 good cause appearing, the Court grants the application, and rules as follows:

9 1. The Settlement Administrator shall issue checks to members of the Non-
10 Core Natural Gas Subclass who filed valid claims in connection with the El Paso Settlement, the
11 Price Indexing Settlements, or the Sempra Settlements as set forth in Exhibit 4 to the Report and
12 Declaration of Settlement Administrator Regarding Non-Core Claims. The Settlement
13 Administrator is directed and authorized to undertake reasonable measures to ascertain current
14 addresses as to any checks that are returned as undeliverable.

15 2. The approximately \$211,251.27 in unclaimed Subclass member funds in
16 connection with the El Paso Settlement shall be added to the amount available for distribution in
17 connection with the Sempra Settlement.

18 3. The Settlement Administrator is authorized and directed to send letters to
19 the actual or putative members of the Subclass as set forth in Part IV of the *ex parte* application
20 and Exhibit A thereto.

21 4. Subclass members who filed valid claims in connection with the El Paso
22 Settlement, Price Indexing Settlements, and/or Sempra Settlement shall not be required to file
23 new claims in order to receive their *pro rata* share of the pending settlement with AEP Energy
24 Services, Inc. ("AEP"), should that settlement receive final approval.

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5. The Settlement Administrator shall utilize essentially the same claim form and method of calculation in connection with the pending AEP settlement as was utilized in connection with the El Paso Settlement, Price Indexing Settlements, and Sempra Settlement.

NOV 14 2008
Dated: November __, 2008



HON. RONALD S. PRAGER
Coordination Trial Judge