

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANTONIO TOLBERT, *et al.*)
)
 Plaintiffs,)
)
 V.)
)
 MONSANTO COMPANY; AND)
 PHARMACIA CORPORATION,)
)
 Defendants.)

Civil Action Number
2:01-cv-1407-UWC

GERALDINE OLIVER, *et al.*)
)
 Plaintiff,)
)
 V.)
)
 MONSANTO COMPANY; AND)
 PHARMACIA CORPORATION;)
)
 Defendants.)

Civil Action Number
2:01-cv-1407-UWC

**ORDER PERMANENTLY CANCELLING CHECKS ISSUED TO 20
CLAIMANTS AND PROVIDING 22 CLAIMANTS THIRTY MORE
DAYS TO SUBMIT MISSING FORMS OR BE DISQUALIFIED**

On August 30, 2007, the Claims Administrator for the Tolbert Qualified Settlement Fund (the "Fund"), advised the Court that (i) he was unable to locate or contact 20 claimants who were issued 22 checks totaling \$14,917.03 (the "stale checks") after conducting a due diligence search; (ii) 11 minor claimants now 19 have not submitted an Advance Payment Form within 30 days after being

requested in writing to do so; and (ii) 11 claimants who are now 19 have not provided other missing forms within 14 days after being requested in writing to do so.

The Claims Administrator has asked permission of the Court to void the 22 stale checks permanently in order to facilitate reconciling the Fund. The claimants with the stale checks are listed in Exhibit A.

The Claims Administrator recommends that the 11 minor claimants without Advance Payment Forms be suspended from the case if they still do not submit an Advance Payment Form after being provided another 30 days to do so. These claimants are referred to as the "Minor Late Claimants" and are listed in Exhibit B.

Finally, the Claims Administrator recommends that the 11 minor claimants who have not timely submitted other forms be suspended from the case if they still do not submit the forms after being provided another 30 days to do so. These claimants are listed in Exhibit C and are referred to hereinafter as the "Document Deficient Minor Claimants."

The Court, having reviewed the Claims Administrator's Report and considered all other matters and things that are appropriate, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Court hereby authorizes this Claims Administrator to void the stale checks, and the monies which funded the stale checks will be part of the Fund corpus, to be distributed in accordance with further Orders of this Court, with the claimants issued the stale checks not having any right to reclaim such payments absent a showing of good cause for failing to timely contact the Claims Administrator.
2. Each of the 11 Minor Late Registrants shall be provided a written request by the

Claims Administrator within 10 days from the date of entry of this Order that he or she complete and provide an Advance Payment Form to the Claims Administrator (to the extent that he or she did not already submit one) within 30 days after the notice letter is mailed to them by the Claims Administrator. The Minor Late Registrants shall also be notified of this last opportunity to receive a payment by publication of notice in the Anniston Star on a Sunday as soon as practicable and by posting the Order on the Website home page. Any Minor Late Registrant who does not so timely provide an Advance Payment Form to the Claims Administrator shall be forever barred from admission to this case and from participation in the Settlement herein, absent a showing of good cause. Notwithstanding the foregoing, Minor Late Registrants who fail to submit an Advance Payment Form in time shall continue to be barred from filing any additional claims against the Defendants or the Released Parties with respect to the matters that are settled herein.

3. Each of the 11 Document Deficient Minor Claimants shall be provided a written request by the Claims Administrator within 10 days from the date of this Order that he or she complete and provide all missing forms to the Claims Administrator (to the extent that he or she did not already submit the form) within 30 days after the notice letter is mailed to them by the Claims Administrator. Any Document Deficient Minor Claimant who does not so timely provide such forms to the Claims Administrator shall be forever barred from receiving any further payments from this case and from any further participation in the Settlement herein, absent a showing of good cause. Notwithstanding the foregoing, such barred Document Deficient Minor

Claimants who fail to submit the necessary form or forms in time shall continue to be barred from filing any additional claims against the Defendants or the Released Parties with respect to the matters that are settled herein.

Done the 4th day of October, 2007.



U.W. Clemon
United States District Judge

EXHIBIT A
LIST OF CLAIMANTS WITH STALE CHECKS

Becker, Frederick
Buchanan, George
Cooper, Traquon
Cox, Willie Lee
Dixon, Bart
Gillney, John H.
Griffin, Kerry
Groce, Monica
Harrington, Cedric
Harris, Patrick
Jackson, Jacqueline
Johnson, Priscilla
Jones, Otis
Mann, Rumondard
Mathis, Eddie
New, Brandi
Patton, Willie R.
Smith, Shellie Ann
Taylor, Terrell
Taylor, Timothy

EXHIBIT B
LIST OF CHILDREN CLAIMANTS WHO HAVE
REACHED ADULTHOOD BUT HAVE NOT TIMELY SUBMITTED
AN ADVANCE PAYMENT FORM

Barnett, Mary

Boyd, Deidre D.

Burnett, Teresa (g)

Clark, Ambrose

Henderson, Tiffany D.

Lancaster, LaGlasha

McCurty, Shermonica

Thomas, Tiffany

Washington, Cherrelle

Washington, Martez

Williams, Amanda

EXHIBIT C
LIST OF CHILDREN CLAIMANTS WHO HAVE
REACHED ADULTHOOD WHO HAVE NOT
TIMELY SUBMITTED ALL FORMS NECESSARY FOR
PERSONAL INJURY PAYMENTS

Brockington, Delricko J.

Bus-Kwofie, Kahill

Caudle, Carl L.

Cunningham, Jacqwetta

Delgado, Nakeyta

English, Jamila

Hogan, Sarah

Ingram, Edward E., Jr.

Jackson, Kenendra

Sampson, Rachel

Windham, Lakieta A.
