

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

DAVID KANEFSKY, Individually and  
on Behalf of Others Similarly Situated,

Plaintiff,

v.

HONEYWELL INTERNATIONAL  
INC., *et al.*,

Defendants.

Civ. A. No. 2:18-CV-15536-WJM-JAD

**ORDER**

**ORDER GRANTING PLAINTIFFS' MOTION FOR  
DISTRIBUTION OF SETTLEMENT FUND**

Having considered all materials and arguments submitted in support of Plaintiffs' Motion for Distribution of Settlement Fund ("Motion"), including the Memorandum of Law in support of the Motion, and the Declaration of Joseph Mahan Regarding the Results of the Claim Administration Process (the "Mahan Declaration"),

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Motion for Distribution of the Settlement Fund is GRANTED.
2. As set forth in the Mahan Declaration, the administrative determinations of the Claims Administrator, Epiq Class Action & Claims Solutions,

Inc. (“Epiq”), in accepting and rejecting Claims are approved. Specifically, the administrative determinations of the Claims Administrator accepting those Claims set forth in Exhibits B-1 and B-2 to the Mahan Declaration are approved. Likewise, the administrative determinations of the Claims Administrator rejecting those Claims set forth in Exhibit B-3 of the Mahan Declaration are approved.

3. Any person submitting claims after January 10, 2023, or any responses to rejected claims after January 10, 2023, the date(s) used to finalize the administration by Epiq, are finally and forever barred from asserting such claims. All putative claims listed in Exhibit B-3 to the Mahan Declaration are finally and forever rejected.

4. The funds that are currently in the Net Settlement Fund (less any necessary amounts to be withheld for payment of potential tax liabilities, outstanding Administration Costs approved by Co-Lead Counsel, and related fees and expenses) shall be distributed on a *pro rata* basis to the Authorized Claimants, identified in Exhibits B-1 and B-2 to the Mahan Declaration. The funds shall be distributed pursuant to the Stipulation and the Plan of Allocation of the Net Settlement Fund set forth in the Notice.

5. The distribution plan for the Net Settlement Fund as set forth in the Mahan Declaration and accompanying exhibits is approved. The balance of the Net Settlement Fund shall be distributed to Authorized Claimants. The checks for

distribution to Authorized Claimants shall bear the notation “DEPOSIT PROMPTLY, VOID AND SUBJECT TO RE-DISTRIBUTION IF NOT NEGOTIATED WITHIN 90 DAYS OF DISTRIBUTION.” Co-Lead Counsel and Epiq are authorized to locate and/or contact any Authorized Claimant who has not cashed their check within said time. Authorized Claimants who fail to negotiate a distribution check within the time allotted or consistent with the terms outlined in the Mahan Declaration will irrevocably forfeit all recovery from the Settlement.

6. As set forth in the Mahan Declaration, *see* ¶¶ 33-37, fees and expenses in the amount of \$7,23,891.58 is approved for payment from the Settlement Fund to Equip as Claims Administrator.

7. If any funds remain in the Net Settlement Fund by reason of uncashed checks, or otherwise, after the Claims Administrator has made reasonable and diligent efforts to have Authorized Claimants who are entitled to participate in the distribution of the Net Settlement Fund cash their distribution checks, then any balance remaining in the Net Settlement Fund six months after the Initial Distribution of such funds shall be used: (i) first, to pay any amounts mistakenly omitted from the initial distribution to Authorized Claimants payment who would receive at least a \$20.00; (ii) second, to pay any additional Administrative Costs incurred in administering the Settlement; and (iii) finally, to make a second distribution to Authorized Claimants who cashed their checks from the initial


distribution and who would receive at least \$10.00 from such second distribution, after payment of the estimated costs or fees to be incurred in administering the Net Settlement Fund and in making this second distribution, if such second distribution is economically feasible. If six months after such second distribution, if undertaken, or if such second distribution is not undertaken, any funds shall remain in the Net Settlement Fund, any funds remaining in the Net Settlement Fund shall be donated to a non-sectarian non-profit charitable organization chosen by Co-Lead Counsel, with the approval of the Court.

8. The Court finds that the administration of the Settlement and proposed distribution of the Net Settlement Fund comply with the terms of the Stipulation and the Plan of Allocation. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of claims submitted herein, or otherwise involved in the administration or taxation of the Settlement Fund or the Net Settlement Fund, are released and discharged from any and all claims arising out of such involvement, and all Settlement Class Members, whether or not they are to receive payment from the Net Settlement Fund, are barred from making any further claims against the Net Settlement Fund or the released person beyond the amount allocated to them pursuant to this Order.

9. Epiq is hereby ordered to discard electronic or paper copies of claims and all supporting documents no less than one year after all distributions of the Net

Settlement Fund to the eligible claimants.

DATED: Feb 14, 2023



HON. WILLIAM J. MARTINI  
UNITED STATES DISTRICT JUDGE