

1 Counsel for Plaintiffs

2 Thomas F. Kummer
Nevada Bar No. 1200

3 L. Joe Coppedge
Nevada Bar No. 4954

4 **KUMMER KAEMPFER BONNER**
RENSHAW & FERRARIO
5 3800 Howard Hughes Parkway, 7th Floor
Las Vegas, NV 89109
6 Tel: (702) 792-7000
Fax: (702) 792-7181

7 Merrill G. Davidoff
8 Michael Dell' Angelo
BERGER & MONTAGUE, P.C.
9 1622 Locust Street
Philadelphia, PA 19103
10 Tel: (215) 875-3000
Fax: (215) 875-4608

11 REGINALD H. HOWE
12 49 Tyler Road
Belmont, MA 02478
13 Tel: (617) 484-0029

14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16
17 Brown v. Kinross Gold U.S.A., Inc.

CV-S-02-0605-PMP-(RJJ)

18 This Document Relates To:

19 All actions
20

**ORDER APPROVING
LEAD PLAINTIFFS' MOTION
FOR SERVICE AWARDS TO LEAD
LEAD PLAINTIFFS AND FOR
REIMBURSEMENT OF LEAD
PLAINTIFFS' EXPENSES**

22 WHEREAS a consolidated class action is currently pending before the court
23 entitled *Brown v. Kinross Gold U.S.A., Inc., et al.*, U.S.D.C. Nev., CV-S-02-0605-
24

1 PMP(RJJ) (the “Action”);

2 WHEREAS, this matter came before the Court pursuant to the Court’s Order
3 Preliminarily Approving Settlement, Settlement Class Certification, and Providing for
4 Notice to the Class dated November 12, 2008 (“Preliminary Approval Order”) (Dkt.
5 295), on Lead Plaintiffs’ Motion for Service Awards and Reimbursement of Expenses
6 dated January 22, 2009 (the “Service Award Motion”), for the reimbursement of
7 expenses incurred by Lead Plaintiffs and service awards to the Lead Plaintiffs;

8 WHEREAS, pursuant to the Preliminary Approval Order, the Court preliminarily
9 directed the dissemination, publication, mailing and/or posting of the Notice of Class
10 Action Certification, Proposed Settlement, Motion for Attorneys’ Fees and Expenses and
11 Hearing Thereon (the “Notice”), the Proof of Claim and Release form (the “Proof of
12 Claim”), and Summary Notice;

13 WHEREAS, the Parties having simultaneously made application by and through a
14 Motion for Final Approval of Class Action Settlement, pursuant to Federal Rule of Civil
15 Procedure 23(e), for an order finally approving the Settlement of this Action, in
16 accordance with the Stipulation which, together with the Exhibits annexed to the
17 Stipulation, sets forth the terms and conditions for a proposed settlement of the Action
18 and for dismissal of the Action with prejudice upon the terms and conditions set forth
19 therein;

20 WHEREAS, all defined terms contained in this Order shall have the same
21 meanings as set forth in the Stipulation; and

22 WHEREAS, due and adequate notice having been given to the Settlement Class
23 as required in said Preliminary Approval Order, the Court having considered all papers
24 filed and proceedings had herein, and otherwise being fully informed in the premises and

1 good cause appearing therefore,

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

3 1. The Court hereby awards to Lead Plaintiff Robert A. Brown
4 reimbursement in the amount of \$1,000.00 for reasonable costs and expenses incurred in
5 the representation of the Class and a service award in the amount of \$35,000 for his
6 service to the Settlement Class. The Court finds that the costs and expenses were
7 reasonably incurred in connection with the pursuit of this litigation and were reasonable
8 in amount.

9 2. The Court hereby awards to Lead Plaintiff Andrew Kaufman a service
10 award in the amount of \$35,000 for his service to the Settlement Class.

11 3. The Court hereby awards to Lead Plaintiffs George P. Drake and CN&L
12 Investment Corporation, collectively, a service award in the amount of \$15,000 for their
13 service to the Settlement Class.

14 4. The Court hereby awards to Lead Plaintiff Glenbrook Capital LP
15 reimbursement in the amount of \$19,726.00 for reasonable costs and expenses incurred in
16 the representation of the Class and a service award in the amount of \$15,000 for its
17 service to the Settlement Class.

18 5. The reimbursement of expenses and service awards and interest earned
19 thereon may be paid immediately after the date this Order is entered, subject to the terms,
20 conditions and obligations of the Stipulation of Settlement.

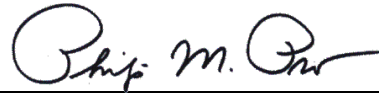
21 6. The Court expressly finds that there is no just reason for delay in the entry
22 of this Order and immediate entry by the Clerk of the Court is expressly directed pursuant
23 to Rule 54(b) of the Federal Rules of Civil Procedure.

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

IT IS SO ORDERED.

Dated: January 29, 2009



THE HONORABLE PHILIP M. PRO
UNITED STATES DISTRICT JUDGE