

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

DENIS MARC AUDET, MICHAEL  
PFEIFFER, and DEAN ALLEN SHINNERS,  
Individually and on Behalf of All Others  
Similarly Situated,

Plaintiffs,

vs.

STUART A. FRASER, GAW MINERS, LLC,  
and ZENMINER, LLC, (d/b/a ZEN CLOUD),

Defendants.

Case 3:16-cv-00940

Hon. Michael P. Shea  
Courtroom 2

ECF Case

CLASS ACTION

SEPTEMBER 5, 2024

**[PROPOSED] ORDER AUTHORIZING DISTRIBUTION OF NET SETTLEMENT  
FUNDS TO CLAIMANTS AND REIMBURSEMENT OF CLAIMS ADMINISTRATION  
AND CLASS COUNSEL EXPENSES**

WHEREAS, on June 30, 2023, this Court entered a Final Judgment as to Defendant Stuart Fraser and Order Granting Final Approval of Class Action Settlement (ECF No. 396);

WHEREAS, this Court previously appointed Epiq Class Actions & Claims Solutions, Inc. as the Settlement Administrator for the Settlement (ECF No. 388);

WHEREAS, Class Counsel has submitted the Declaration of Morgan Kimball in Support of Plaintiffs' Motion to Authorize Distribution of Net Settlement Funds to Claimants and Reimbursement of Claims Administration and Class Counsel Expenses ("Motion to Authorize Distribution"), who is a Project Manager overseeing the settlement administration services performed by Epiq relating to this Settlement, detailing the steps taken, pursuant to the Settlement and Plan of Distribution, to process and review the Proofs of Claim submitted for the Settlement and to prepare to distribute a *pro rata* allocation in accordance with the Court-approved Plan of Distribution (ECF No. 383-5);

WHEREAS, Class Counsel has submitted for the Court's review one objection to the administrative determinations of Epiq and has recommended that the Court approve Epiq's determination that the claim submitted by the claimant with Claimant ID 305099 should be accepted only in part because, following Epiq's review of the claim, only a portion of the losses claimed by the Claimant are supported by documentation;

WHEREAS, Epiq is prepared to calculate a proposed distribution of the Net Settlement Fund to authorized claimants pursuant to the Settlement and Plan of Distribution;

WHEREAS, the Kimball Declaration and the Declaration of Russell Rennie in Support of Plaintiffs' Motion to Authorize Distribution list expenses incurred or likely to be incurred in connection with settlement administration and prosecution of this action, respectively;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Plaintiffs' Motion to Authorize Distribution is **GRANTED** as follows:

1. Epiq's final determinations concerning the claims submitted, as discussed in Plaintiffs' accompanying memorandum of law, are hereby approved;
2. Consistent with the recommendation of Class Counsel and Epiq, the Court approves Epiq's determination that Claimant 305099 is approved in the amount of \$73,732.21;
3. The Claims Administrator shall distribute payments to claimants from the Net Settlement Fund in accordance with the *pro rata* method set out in the Plan of Distribution (ECF No. 383-5) and as reflected in the stake amounts in Paragraphs 35-36 and Exhibit K to the Kimball Declaration;
4. Epiq shall be reimbursed for expenses incurred and likely to be incurred for claims and settlement administration in the amount of \$38,005.92;

5. Class Counsel shall be reimbursed for unreimbursed expenses in the amount of \$11,629.01;
6. Any further claims against the Net Settlement Fund for this Settlement are finally and forever barred;
7. Plaintiffs, Class Counsel, Epiq, and all individuals who were involved in the processing and validation of claims, calculation of distributions to claimants, or any other aspect of the settlement administration process, are hereby released and discharged from any and all claims arising out of such involvement; and
8. The Court retains jurisdiction over any further application or matter which may arise in connection with the administration of the Settlement.

IT IS SO ORDERED ON this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Hon. Michael P. Shea  
United States District Judge