IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA BEFORE THE SPECIAL MASTER

ELOUISE PEPION COBELL, et al.,)
Plaintiffs,))
v.) Civil Action No.) 1:96CV01285 (TFH)
SALLY JEWELL, Secretary of the Interior, et al.,)
Defendants.)))

SPECIAL MASTER ORDER NO. 1 PERMITTING THE USE OF SMALL ESTATE PROCEDURES FOR THE DISTRIBUTION OF SETTLEMENT PROCEEDS TO ESTATES AND HEIRS OF DECEASED CLASS MEMBERS

Upon consideration of Plaintiffs' first and second unopposed motions to permit the use of small estate procedures for the distribution of settlement proceeds to estates and heirs of deceased class members, it is hereby ordered that Garden City Group ("GCG"), the claims administrator, may distribute settlement proceeds owed to deceased members of the Historical Accounting and Trust Administration Classes in accordance with the following state procedures for the distribution of small estates:

- 1. Alaska Stat. §§ 13.16.680, 13.16.685
- 2. Ariz. Rev. Stat. Ann. § 14-3971, et seq.
- 3. Ark. Code Ann. § 28-41-101, et seq.
- 4. Cal. Prob. Code § 13100, et seq.
- 5. Colo. Rev. Stat. Ann. § 15-12-1201, et seq.
- 6. Idaho Code §§ 15-3-1201, 15-3-1202

- 7. Indiana Code §§ 29-1-8, et seq.
- 8. Kan. Stat. Ann. § 59-1507b
- 9. La. Code Civ. Proc., art 3421, et seq.
- 10. Mich. Comp. Laws §§ 700.3983-84, 1210
- 11. Minn. Stat. Ann. § 524.3-1201, et seq.
- 12. Mont. Code Ann. § 72-3-1101, et seq.
- 13. Neb. Rev. Stat. § 30-24,125, et seq.
- 14. Nev. Rev. Stat. Ann. §§ 146.070 and 146.080.
- 15. N.M. Stat. Ann. §§ 45-3-1201, 45-3-1202
- 16. N.D. Cent. Code § 30.1-23-01, et seq.
- 17. Okla. Stat. Ann. tit. 58, § 393, et seq.
- 18. Or. Rev. Stat. Ann. § 114.505, et seq.
- 19. S.D. Codified Laws § 29A-3-1201, et seq.
- 20. Tex. Probate Code Ann. § 137 (and its successor in the Texas Estate Code Ann., effective January 1, 2014)
- 21. Utah Code Ann. § 75-3-1201, et seq.
- 22. Va. Code §§ 64.2-600, et seq.
- 23. Wash. Rev. Code Ann. § 11.62.010, et seq.
- 24. Wis. Stat. Ann. § 867.03, et seq.

In accordance with ¶ 2 of the district court's *Order Granting Unopposed Motion to*Modify Distribution of Settlement Proceeds to Estates and Heirs of Deceased Class Members

dated June 19, 2013 [Dkt. No. 3958], GCG is only authorized to use these state procedures

for distribution of small estates where, at the time of distribution, it has not been provided documentation, as set forth in $\P 1(a)$ -(c) of that order, of one of the following:

- A state or tribal probate order identifying the heirs of the deceased class member;
- 2. The existing legally appointed executor or administrator of an estate of the deceased class member;
- 3. A will of the deceased class member that addresses, including through a residuary clause, the distribution of the settlement funds, where that will has been accepted for probate by a state or tribal court or the Department of Interior;

Should GCG conclude that there is an ambiguity or a conflict in any documentation, then the matter shall be sent directly to the Special Master for determination.

This the lb day of July, 2013

Hon. Richard A. Levie (Ret.)

Special Master