

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS)
THIRTEENTH JUDICIAL CIRCUIT)

COUNTY OF GREENVILLE)

Jessica S. Cook, Corrin F. Bowers & Son, Cyril)
B. Rush, Jr., Bobby Bostick, Kyle Cook, Donna)
Jenkins, Chris Kolbe, and Ruth Ann Keffer, on)
behalf of themselves and all others similarly)
situated,)

CASE NO. 2019-CP-23-06675)

Plaintiffs,)

v.)

**ORDER ESTABLISHING)
QUALIFIED SETTLEMENT)
FUND)**

South Carolina Public Service Authority, an)
Agency of the State of South Carolina (also)
known as Santee Cooper); W. Leighton Lord, III,)
in his capacity as chairman and director of the)
South Carolina Public Service Authority;)
William A. Finn, in his capacity as director of the)
South Carolina Public Service Authority; Barry)
Wynn, in his capacity as director of the South)
Carolina Public Service Authority; Kristofer)
Clark, in his capacity as director of the South)
Carolina Public Service Authority; Merrell W.)
Floyd, in his capacity as director of the South)
Carolina Public Service Authority; J. Calhoun)
Land, IV, in his capacity as director of the South)
Carolina Public Service Authority; Stephen H.)
Mudge, in his capacity as director of the South)
Carolina Public Service Authority; Peggy H.)
Pinnell, in her capacity as director of the South)
Carolina Public Service Authority; Dan J. Ray, in)
his capacity as director of the South Carolina)
Public Service Authority; David F. Singleton, in)
his capacity as director of the South Carolina)
Public Service Authority; Jack F. Wolfe, Jr., in)
his capacity as director of the South Carolina)
Public Service Authority; Central Electric Power)
Cooperative, Inc.; Palmetto Electric Cooperative,)
Inc.; South Carolina Electric & Gas Company;)
SCANA Corporation, SCANA Services, Inc.,)

Defendants.)

_____)

Upon the Consent Motion to Establish Qualified Settlement Fund filed by Plaintiffs, through Class Counsel, the Court hereby **ORDERS** as follows:

1. The Cook v. Santee Cooper QSF Escrow Account (the “QSF”) is approved and established in accordance with the terms of the Settlement Agreement and the Escrow Agreements attached as Exhibits A and B to the Consent Motion. The Court retains continuing jurisdiction and supervision of the QSF in accordance with the terms of the Settlement Agreement and the Escrow Agreements.
2. The QSF is a “qualified settlement fund” within the meaning of section 468B of the Internal Revenue Code and the Treasury Regulations thereunder, and shall be operated in a manner consistent with the rules of Treasury Regulation sections 1.468B-1, *et seq.*
3. Huntington National Bank (“Huntington”) is appointed as the Escrow Agent for the QSF.
4. Epiq Class Action & Claims Solutions, Inc. (“Epiq”) is appointed as the Administrator of the QSF within the meaning of Treasury Regulations section 1.468B-2(k)(3).
5. Huntington and Epiq and granted the authority to conduct any and all activities necessary to administer the QSF pursuant to the terms, conditions, and restrictions of the Consent Motion, the Settlement Agreement, and the Escrow Agreements.

IT IS SO ORDERED.

Dated: 9-1-20

By: 

Jean Hoefler Toal
Chief Justice, Retired
Acting Circuit Court Judge