

1 This is the fifth of several applications for authority to distribute portions of the
2 \$383,349,750.00 plaintiffs received from Exxon in August 2008, as a partial payment on
3 the punitive damages judgment entered by the United States Supreme Court. Issues
4 involving costs and interest have now been resolved by the June 15, 2009 Ninth Circuit
5 opinion. There remains a possibility of continued litigation through a request for
6 reconsideration or en banc consideration with the Circuit, or a petition for certiorari.
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8 Nonetheless, Lead Counsel wishes to continue to distribute as much of the amount
9 already received as reasonably possible.
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11 This motion addresses claimants in 26 claim categories, all of which have been the
12 subject of prior applications requesting that punitive damages be distributed. As Mr.
13 Sarko explains in his attached declaration, the 407 claims have a gross value of
14 \$8,554,826.93, and represent over 2.7283 % of the Punitive Damages available for
15 distribution. Dollar figures for the 407 claims are provided in the attached Exhibit A for
16 claimants in these 26 claim categories and are gross dollar allocations to claimants prior
17 to any deductions for attorneys' fees.
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19 This submission does not cover any of the remaining claim categories, which will
20 be covered in future applications.
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22 The Court is also directed to the portion of Mr. Sarko's declaration at which he
23 summarizes the progress of the distributions made thus far. I am pleased to report that
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