



1 This is the twelfth of several applications for authority to distribute portions of the  
 2 money plaintiffs received from Exxon as partial payments on the punitive damages  
 3 judgment entered by the United States Supreme Court. The current application to  
 4 distribute punitive damages covers (1) claimants scheduled to receive punitive damages  
 5 principal and interest payments in any of the 51 claim categories that have multiple  
 6 impairments on their claims;<sup>1</sup> and (2) a claimant, Bud Dietz, who recently had his claim  
 7 adjudicated by the court. *See Declaration Of Lynn Lincoln Sarko In Support Of Lead*  
 8 *Counsel's Twelfth Punitive Damages Application For An Order Distributing Exxon*  
 9 *Qualified Settlement Funds To Claimants In Various Categories And Their Attorneys,*  
 10 *filed herewith.*

13 Exhibit A to Mr. Sarko's declaration sets out the amounts of punitive damages  
 14 principal going to claimants in the various categories. There are 177 claims being paid,  
 15 the total amount of which is \$1,236,488.94. Exhibit B to his declaration sets out the  
 16 amounts of punitive damages interest going to claimants in the various categories. There  
 17 are 603 claims being paid, the total amount of which is \$8,990,148.45. Finally, Exhibit C  
 18 to his declaration sets out the amount of damages going to Bud Dietz, whose claim was  
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 22 <sup>1</sup> Because there are over 1600 such claimants, and it may take at least three months for all of  
 23 them to be processed, this application does not include all claimants with multiple impairments  
 24 who remain entitled to a punitive damages distribution. Instead, I have indentified those  
 25 claimants whose claims we expect can be processed within a month of the Court's order  
 approving this application. Subsequent applications will be made covering additional claims  
 with multiple impairments.

1 recently adjudicated by the Court following the Special Master’s decision, the total  
2 amount of which is \$51,864.14.

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4 The dollar figures provided in Exhibits A, B and C are gross dollar allocations on  
5 claims prior to any deductions for attorneys’ fees or costs. The total amount of gross  
6 payments under this Twelfth Distribution Application is \$10,278,501.53.

7 A proposed order is attached authorizing the proposed distributions discussed in  
8 this application.

9  
10 Respectfully submitted this 24<sup>th</sup> day of May 2010.

11  
12 s/ David W. Oesting  
13 DAVIS WRIGHT TREMAINE LLP  
14 701 West 8<sup>th</sup> Avenue, Suite 800  
15 Anchorage, AK 99501  
16 Telephone: (907) 257-5300  
17 Facsimile: (907) 257-5399  
18 ABA No. 8106041  
19 E-mail: daveoesting@dwt.com

20 Certificate of Service

21 The undersigned certifies that on May 24, 2010 a true and correct copy  
22 of the foregoing LEAD COUNSEL’S 12<sup>th</sup> PUNITIVE DAMAGES APPLICATION  
23 FOR AN ORDER DISTRIBUTING EXXON QUALIFIED SETTLEMENT FUNDS  
24 TO CLAIMANTS IN VARIOUS CLAIM CATEGORIES AND THEIR ATTORNEYS  
25 was served on the following attorneys or parties of record by the court’s ECF system

22 Douglas J. Serdahely	Lloyd B. Miller
23 PATTON BOGGS LLP	SONOSKY, CHAMBERS, SACHSE,
24 E-mail: dserdahely@pattonboggs.com	MILLER & MUNSON
	E-mail: lloyd@sonosky.net

25 By: s/ David W. Oesting

Davis Wright Tremaine LLP  
LAW OFFICES  
Suite 800 • 701 West 8<sup>th</sup> Avenue  
Anchorage, Alaska 99501  
(907) 257-5300 • Fax: (907) 257-5399