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Order Regarding Uncontested Claims (LARRIE GRANT PLYMEL)

Alice D. Bonner
Superior Court of Fulton County

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

LARRIE GRANT PLYMEL, *et al.*,	)(	
	)(	**CIVIL ACTION**
Plaintiffs,	)(	**FILE NO. 2004-CV-84312**
	)(	
v.	)(	
	)(	
TEACHERS RETIREMENT SYSTEM OF GEORGIA, *et al.*,	)(	
	)(	**CLASS ACTION**
	)(	
Defendants.	)(	
	)(	

FILED IN OFFICE
FEB 29 2008
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

ORDER REGARDING UNCONTESTED CLAIMS

This Court makes the following order to govern the parties if there is an appeal from the Final order and Judgment entered simultaneously herewith:

1.

Defendants sought to have this Court order that the applicable statute of limitations concerning Plaintiffs' claims is the six year limitation set forth in O.C.G.A. § 9-3-24 for actions on simple written contracts, and that such limitation commences to run on the dates of class members' retirements. Defendants do not challenge the claims of class members for whom past benefits and future adjustments are owed (to retirees, their TRS beneficiaries, or the estates of either, if applicable) for any claims resulting from the retirements of class member

retirees beginning April 8, 1998, being six (6) years from the filing date of the complaint, on April 8, 2004, (the "uncontested claims").

2.

Therefore, if there is an appeal by any party from the Final Order and Judgment, Defendants are enjoined and ordered to comply with the terms of the Final Order and Judgment with respect to all uncontested claims. Should any appeal include a challenge to an award of interest as provided in the Final Order and Judgment, Defendants shall apply and pay interest at the rate of 4 ½% per annum, that being the rate claimed to be owed by Defendants. Payments of interest will be adjusted, if necessary to comply with the judgment on remittitur following appeal.

3.

In addition to the foregoing, Defendants shall comply with the provisions of the Final Order and Judgment with respect to incentive payments to the named Plaintiffs and with respect to payment of costs and attorneys' fees as to each class member to whom payment is made, notwithstanding any appeal.

SO ORDERED, this 29 day of February, 2008.

Alice D. Bonner

Alice D. Bonner, Senior Judge
Superior Court of Fulton County

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