

3. Epiq shall receive from the parties duly executed settlement agreements, or entered judgments, along with W-9 forms and, if necessary, any other appropriate taxation forms or letters testamentary, or like documents, as well as designation of payment methods forms; and,

4. Epiq shall review the materials described in paragraph (3) for completeness and accuracy. Should Epiq find deficiencies, errors, or irregularities in any of the documents, Epiq shall provide notice to all counsel ("Counsel"); and,

5. Prior to making any payment to any class member pursuant to any agreement or judgment, Epiq shall determine if there are any liens against a class member for child support, Medicaid, Public Assistance fines, or fees, by inquiring of those persons or entities to be designated by the Board of Education for City School District for the City of New York operating as the New York City Department of Education ("BOE" or "Defendant"); and,

6. Prior to making any payment pursuant to an agreement or judgment, Epiq shall make the appropriate deductions or withholdings, including liens; and,

7. After complying with the steps set forth above, Epiq shall verify with Counsel that payment should be made, and upon receiving such verification, Epiq shall make payments in accord with any agreement or judgment in such manner as has been designated by the class member; and,

8. After making any payment in accord with the forgoing procedures, Epiq shall, as required by any applicable law, issue all appropriate tax documentations and make all required or necessary reports to the applicable authorities; and,

9. The BOE, or the City of New York ("City") shall fund the QSF to ensure the QSF has the ability to make the appropriate payments of settlements and judgments. Epiq shall, as needed, request funds from the BOE or the City as appropriate. Notwithstanding the

forgoing, neither the BOE nor the City shall be required to fund the QSF with more than the following amounts in the aggregate in the indicated fiscal years¹:

FY 2022	\$345,000,000
FY 2023	\$410,000,000
FY 2024	\$360,000,000
FY 2025	\$360,000,000
FY 2026	\$183,333,333
FY 2027	\$ 83,333,333
FY 2028	\$ 33,333,333

Nothing in this paragraph is intended to limit the rights of class members to enforce judgments in this action.

10. Epiq shall report to Counsel at least once each quarter, or as requested, by Counsel or the Special Master: which class members were paid, the amounts paid, the dates of payments, the method of payment, the status of the payment, the amounts and nature of any withholdings or deductions, what tax or other reporting documents were issued, the amounts of money held by the QSF, as well as any other data or information deemed necessary by Counsel or the Special Master; and,

11. Epiq shall periodically submit to Counsel itemized invoices for its services. Counsel shall review the invoices and then submit the invoice to the Special Master accompanied by either recommendations for the invoice to be approved by this Court or with objections to the invoice. The Special Master shall then review the submission. After review, the Special Master shall submit the invoice to the Court with a recommendation concerning payment. After review of the submission, this Court shall issue an appropriate Order concerning payment of Epiq's reasonable fees and expenses which shall be paid by the Defendant.


¹ The fiscal year begins on July 1st of one calendar year and ends on June 30th of the following calendar year, e.g., FY 2022 commenced July 1, 2021.


12. Upon satisfaction of all judgments and agreements any monies remaining in the QSF shall be returned to the BOE and the City.

Dated: New York, New York
November 8, 2021

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By: 
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ON RECOMMENDATION OF THE SPECIAL MASTER

Dated: New York, New York
November 10, 2021

SO ORDERED


KIMBA M. WOOD
United States District Judge