

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**RICHARD TURNLEY III, BARON
H.C. FINLAYSON, COLEEN
ALECIA HINDS, MARK-ANTHONY
BROWN, TIMOTHY JOHNSON II,
KHAIRI DWAYNE RAHMAN,
RAHMEL HOBBS, and TERRY M.
GRAVELY, on behalf of themselves
and all others similarly situated,**

Plaintiffs,

v.

**BANC OF AMERICA INVESTMENT
SERVICES, INC., and BANK OF
AMERICA, N.A.,**

Defendants.

CIVIL ACTION NO. 07-CA10949 NG

**[~~PROPOSED~~] ORDER APPROVING
PLAN OF ALLOCATION AND SERVICE AWARDS**

WHEREAS, Plaintiffs moved for approval of the proposed Plan of Allocation and for Service Awards to the Named Plaintiffs (the "Motion"), which came before the Court for hearing on November 18, 2009, at 2:30 p.m., pursuant to the Court's Order Preliminarily Approving Settlement, filed July 15, 2009 (the "Preliminary Approval Order"); and due and adequate notice having been given to the Class as required in the Preliminary Approval Order; and the Court having read and considered Plaintiffs' Motion and the supporting declaration and being fully informed of the related proceedings now FINDS, CONCLUDES AND ORDERS as follows:

1. This Order incorporates by reference the definitions in the Settlement Agreement, and all capitalized terms used herein shall have the same meanings as set forth in the Settlement Agreement.

2. This Court has jurisdiction over the subject matter of the litigation and over all parties to this litigation, including all members of the Class.

3. The Court hereby finds and concludes that due and adequate notice was directed to the Class, advising the Class of the Plan of Allocation and the Class Members' right to object thereto, and a full and fair opportunity was accorded to all Class Members to be heard with respect to the Plan of Allocation.

4. The Court hereby finds and concludes that the basis for the calculation of claims of Authorized Claimants, and the complete Plan of Allocation, as set forth in the Notice mailed to the Class Members, provides a fair, just, reasonable and adequate basis for allocation of the Settlement Fund among the Class Members, and is hereby approved.

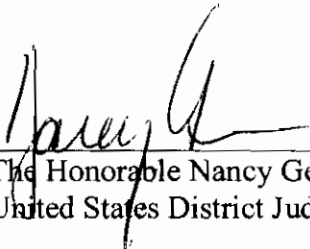
5. The Court hereby finds and concludes that, following appropriate notice of Named Plaintiffs' application for Service Awards to the Class, approval of Service Awards in the amount of \$25,000.00 to each Named Plaintiff for their time and effort devoted to representing

the Class in this case is fair and reasonable, and is hereby approved for payment from the Settlement Fund.

6. The finality of the Judgment entered with respect to the Settlement between Named Plaintiffs, on behalf of the Class, and Defendants shall not be affected in any manner by this Order, or any appeal from this Order approving the Plan of Allocation and Service Awards.

IT IS SO ORDERED.

Dated: Nov 18, 2009



The Honorable Nancy Gertner
United States District Judge