

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION

LEQUITA DENNARD, JOHN GULO,  
TERRANCE LAVELA, KATHRYN A.  
SEDLACEK, HENRY D. SCHMOLL, and  
PHILIP A. KRAMER,

Plaintiffs,

v.

AEGON USA LLC, TRANSAMERICA  
FINANCIAL LIFE INSURANCE  
COMPANY, TRANSAMERICA  
RETIREMENT SOLUTIONS  
CORPORATION, KIRK BUESE, RALPH  
ARNOLD, KEN KLINGER, MARY TAIBER,  
DIANE MEINERS, and DOES 1 through 10,  
inclusive,

Defendants.

Case No. 1:15-cv-00030-EJM

**ORDER MODIFYING  
SETTLEMENT AGREEMENT**

This matter comes before the Court on the parties' Stipulation to Modify Settlement Agreement. For the reasons stated in the stipulation, the Court finds that the requested modification of the settlement should be granted.

**ORDER**

IT IS THEREFORE ORDERED that Section 4.1(g) of the settlement agreement shall be amended to read:

"The Settlement Administrator shall, to the extent practicable, invest the Settlement Amount in discrete and identifiable instruments backed by the full faith and credit of the United States Government, a fund consisting of such instruments ("Government Money Market Fund"), or an account or accounts fully insured by the United States Government or an agency thereof ("FDIC Insured Account"), and shall reinvest the proceeds of these instruments as they mature in

similar instruments at their then current market rates. The Settlement Administrator shall maintain records identifying in detail each instrument in which the Settlement Amount or any portion thereof has been invested, and identifying the precise location (including safe deposit box number) of each such instrument. For any portion of the Settlement Amount held in a Government Money Market Fund, the Escrow Agent shall pay into the Fund at the rate equal to the return of the Government Money Market Fund. For any portion of the Settlement Amount held in an FDIC Insured Account, the Escrow Agent shall pay into the Fund at a rate equal to 20 basis points per year. The Settlement Administrator and Monetary Relief Class Members shall bear all risks related to investment of the Settlement Amount, except that the Escrow Agent shall bear the risk insofar as any investment in an FDIC Insured Account pays less than 20 basis points per year.”

DATED this 5 day of July, 2016.

  
EDWARD J. MCMANUS  
DISTRICT JUDGE  
NORTHERN DISTRICT OF IOWA