

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA and
THE STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORPORATION, *et al.*,

Defendants.

ORDER AUTHORIZING CERTAIN COURT REGISTRY ACCOUNT DEPOSITS

The United States has filed a Motion to authorize certain Court Registry Account deposits under a set of proposed Consent Decrees that have been lodged with the Court.

First, under Paragraph 5 of the Consent Decree with Kimberly-Clark Corporation, Kimberly-Clark would pay a total of \$1,350,000 into a Court Registry Account within 14 days after entry of this Order.

Second, under Paragraph 5 and Appendix B of the Consent Decree with Cashout Settling Defendants and the State of Wisconsin, a total of \$54,100,000 would be deposited into a Court Registry Account within 30 days after entry of this Order, including:

\$5,200,000 by the City of Appleton

\$3,000,000 by CBC Coating, Inc.

\$13,700,000 by Menasha Corporation

\$5,200,000 by the Neenah-Menasha Sewerage Commission

\$14,700,000 by U.S. Paper Mills Corporation

\$12,200,000 by WTM I Company, and

\$100,000 by the State of Wisconsin

Under Consent Decree Paragraph 41, WTM's payment into a Court Registry Account also is conditioned on receipt of a separate bankruptcy court approval to be sought by WTM.

NOW, THEREFORE, in light of the United States' Motion, and good cause appearing,

IT IS HEREBY ORDERED:

1. The Clerk of the Court shall accept the above-described payment into a Court Registry Account under the proposed Consent Decree with Kimberly Clark-Corporation.
2. The Clerk of the Court shall accept the above-described payments into a Court Registry Account under the proposed Consent Decree with the Cashout Settling Defendants and the State of Wisconsin.
3. All payments shall be made in a manner that is acceptable to the Financial Manager in the office of the Clerk of the Court. The funds deposited in a Court Registry Account shall earn interest in accordance with the normal investment procedures of the Clerk of the Court. Pursuant to 28 U.S.C. § 1914(b) and the Judicial Conference Schedule of Fees, no fees shall be charged for services rendered on behalf of the United States in conjunction with this deposit of funds into a Court Registry Account.
4. Any disbursement of these funds from a Court Registry Account shall be made only in accordance with a separate Withdrawal Order entered by this Court.
5. If the Court approves the Consent Decree with Kimberly-Clark Corporation after a public comment period, the funds deposited by Kimberly-Clark (plus accrued interest) would be disbursed to the Plaintiffs pursuant to a Withdrawal Order as specified by Paragraph 6 of the

Consent Decree with Kimberly-Clark.

6. If the Court approves the Consent Decree with Cashout Settling Defendants and the State of Wisconsin after a public comment period, the funds deposited by those parties (plus accrued interest) would be disbursed to the Plaintiffs pursuant to a Withdrawal Order as specified by Paragraph 6 of the Consent Decree with those parties.

7. In the event the Plaintiffs withdraw or withhold consent to either Consent Decree before entry, or the Court declines to enter the Consent Decree, the relevant funds would be returned to the payor(s) pursuant to a separate Withdrawal Order.

SO ORDERED this ____ day of _____, 2014.

William C. Griesbach, Chief Judge
United States District Judge