

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_)  
JEFFREY LEONARD, IN HIS CAPACITY AS )  
TRUSTEE OF THE POPLAWSKI 2008 )  
INSURANCE TRUST; PHYLLIS POPLAWSKI; )  
PBR PARTNERS, BRIGHTON TRUSTEES, )  
LLC, on behalf of and as trustee for COOK )  
STREET MASTER TRUST III; BANK OF )  
UTAH, solely as security intermediary for COOK )  
STREET MASTER TRUST III; PEAK TRUST )  
COMPANY, AK, on behalf of and as trustee for )  
SUSAN L. CICIORA TRUST and STEWART )  
WEST INDIES TRUST; and ADVANCE TRUST )  
& LIFE ESCROW SERVICES, LTA, as )  
securities intermediary for LIFE PARTNERS )  
POSITION HOLDER TRUST, on behalf of )  
themselves and all others similarly situated, )  
) )  
Plaintiffs, )  
vs. )  
) )  
JOHN HANCOCK LIFE INSURANCE )  
COMPANY OF NEW YORK and JOHN )  
HANCOCK LIFE INSURANCE COMPANY )  
(U.S.A.), )  
) )  
Defendants. )  
) )  
\_\_\_\_\_)

Civil Action No. 18-cv-04994-AKH

**AMENDED ORDER AWARDING FEES, EXPENSES, AND INCENTIVE AWARDS**

WHEREAS, Class Plaintiffs Jeffrey Leonard, in his capacity as Trustee of the Poplawski 2008 Insurance Trust; Phyllis Poplawski; PBR Partners, Brighton Trustees, LLC, on behalf of and as Trustee for Cook Street Master Trust III; Bank Of Utah, solely as Security Intermediary for Cook Street Master Trust III; Peak Trust Company, AK, on behalf of and as Trustee for Susan L. Ciciora Trust and Stewart West Indies Trust; and Advance Trust & Life Escrow Services, LTA, as Securities Intermediary for Life Partners Position Holder Trust, on behalf of themselves and on

behalf of the proposed Settlement Class, entered into a settlement (the “Settlement”) with Defendants John Hancock Life Insurance Company of New York and John Hancock Life Insurance Company (U.S.A.);

WHEREAS, on March 17, 2022, the Court previously entered an Order awarding fees, expenses, and incentive awards (Dkt. 213);

WHEREAS, on May 17, 2022, the Court held a fairness hearing and entered its Order granting final approval of the class action settlement and certifying the settlement class (Dkt. 221);

Having further considered Class Counsel’s Motion for Attorneys’ Fees, Reimbursement of Litigation Expenses, and Incentive Awards, supporting declarations, oral argument presented at the fairness hearing, and the complete records and files in this matter,

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. For the reasons stated on the record during the May 17, 2022 fairness hearing, this Order amends the previously entered March 17, 2022, Order awarding fees, expenses, and incentive awards (Dkt. 213) by (a) striking the term “\$34,400,000” in paragraph 2 and replacing it with “\$27,000,000” and (b) adding the following provision: “Class Counsel shall not receive attorneys’ fees or be reimbursed expenses until after the Settlement Administrator sends for delivery a settlement check to each Settlement Class Member within 44 days after the Final Settlement Date under Section 2.3 of the Settlement Agreement.”

2. This Order shall become effective immediately.

ENTERED this 20th day of May 2022.

/s/ Alvin K. Hellerstein  
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Alvin K. Hellerstein  
UNITED STATES DISTRICT JUDGE