

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
(AT CINCINNATI)

IN RE ATRICURE, INC.
SECURITIES LITIGATION

Civil Action No. 1:08-cv-00867
(Judge Michael R. Barrett)

**ORDER AUTHORIZING
DISTRIBUTION OF SETTLEMENT FUND**

WHEREAS, the Court entered a Order and Final Judgment on October 13, 2010, which approved the Stipulation of Settlement between Plaintiffs and all Defendants and created a settlement fund for the benefit of the settlement class as provided for therein (the "Settlement Fund"); and

WHEREAS, Plaintiffs' counsel filed a motion dated December 5, 2011 seeking to: (1) approve the actions of The Garden City Group, Inc. (the "Claims Administrator") and Plaintiffs' counsel in connection with the administration of the Settlement; (2) approve the "List of Eligible Claimants" (which includes late filed claims) and the formula for distributing the Net Settlement Fund to entitled claimants in accordance with the formula set forth in the Plan of Allocation contained in the Stipulation of Settlement; (3) authorize the distribution of the Net Settlement Fund; (4) authorize the destruction of all records three years after distribution of the Settlement Fund; (5) authorize payment to the Garden City Group for their services in connection with the administration of the Settlement; and (6) such other relief as the Court deems just and equitable (the "Motion Regarding Settlement Administration"); and

WHEREAS, the Court has considered the filings made in support of the Motion Regarding Settlement Administration, the presentations of counsel for Plaintiffs; and

WHEREAS, the Court finds that such Motion Regarding Settlement Administration is supported by the record, is well taken and should, therefore, be granted.

It is, therefore, **ORDERED** that:

1. The actions of The Garden City Group, Inc. and Plaintiffs' counsel in connection with the administration of the Settlement Fund are hereby approved;

2. The “List of Eligible Claimants” (including the late filed claims) and the formula for distribution of the Settlement Fund set forth therein, are hereby approved;

3. The Claims Administrator shall distribute to the Eligible Claimants their pro-rata portion of the Settlement Fund in accordance with the “List of Eligible Claimants” and the formula for distribution of the Net Settlement Fund, as set forth therein;

4. The Claims Administrator shall take all further actions that are consistent with the terms of the Stipulation and Plan of Allocation approved by the Court to complete the administration of the Settlement;

5. Payment shall be made out of the Administration Fund to the Garden City Group in the amount of \$57,987.43 to pay their current invoice for their services in connection with the administration of the settlement; and

6. The Claims Administrator will destroy three years after the disbursement of the Net Settlement Fund all records.

SO ORDERED.

/s/ Michael R. Barrett

Michael R. Barrett
United States District Court