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Liaison Counsel for Plaintiffs

Honorable H. Russel Holland

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

In re:)	
)	Case No. 3:89-cv-095 (HRH)
The EXXON VALDEZ)	(Consolidated)
_____)	
THIS DOCUMENT RELATES TO)	
ALL CASES)	
_____)	

DECLARATION OF LYNN LINCOLN SARKO IN SUPPORT OF LEAD
COUNSEL'S FOURTEENTH PUNITIVE DAMAGES APPLICATION FOR AN
ORDER DISTRIBUTING EXXON QUALIFIED SETTLEMENT FUNDS TO
CLAIMANTS IN VARIOUS CATEGORIES AND THEIR ATTORNEYS

1 1. I am the Court-appointed Claims Administrator of the Exxon Qualified
2 Settlement Fund (hereinafter "EQSF") and the Alyeska Qualified Settlement Fund
3 (hereinafter "AQSF"). I make this declaration based on personal knowledge and am
4 competent to testify to the matters set forth herein.
5

6 2. The current application to distribute punitive damages covers claimants
7 scheduled to receive punitive damages principal and interest payments in any of the 51
8 claim categories that have multiple impairments on their claims.¹
9

10 3. Exhibit A to this declaration sets out the amounts of punitive damages principal
11 going to claimants in the various categories. There are 124 claims being paid, the total
12 amount of which is \$603,887.21.
13

14 4. Exhibit B to this declaration sets out the amounts of punitive damages interest
15 going to claimants in the various categories. There are 473 claims being paid, the total
16 amount of which is \$5,878,010.14.
17

18 5. The dollar figures provided in Exhibits A and B are gross dollar allocations on
19 claims prior to any deductions for attorneys' fees or costs. The total amount of gross
20 payments under this Fourteenth Distribution Application is \$6,481,897.35.
21

22 ^{1 1} This is the third of three applications which covers claimants with multiple
23 impairments who remain entitled to a punitive damages distribution, and supplements the
24 12th and 13th applications. It also includes other claimants who no longer have any
25 impairments or who have a single impairment, whose claims can now be paid.

1 6. With this distribution request, applications to the court have resulted in orders
2 authorizing the EQSF to distribute 99.2% of the total compensatory damages, punitive
3 damages and punitive damages interest that the EQSF has received, excluding payments
4 to unhoiled fishers which will be the subject of the next application to this Court, and
5 excluding the approximately \$120 million composed primarily of the reserves for Cook
6 Inlet and Nautilus (about \$45 million) and the \$72 million received from Exxon when it
7 decided not to pursue Supreme Court review on the costs issue. The approximately 0.8%
8 which has not yet been the subject of an application to this court involves claims where
9 liens remain unresolved, estates are not yet available to pay, or the claimant has some
10 other issue which prevents the EQSF from making payment on their claim. We are
11 working to solve the problems with those claims so that they can be included in
12 subsequent applications to the Court just as soon as the issues that currently bar payment
13 are resolved. I anticipate making a first application to the court for distribution of the
14 approximately \$120 million within the next 45 days.
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1 7. If the Court approves the current request, I will begin authorizing payments to
2 be issued on behalf of or to the listed claimants as soon as possible after entry of the
3 Court's order approving the distribution application.

4 8. I certify under penalty of perjury of the laws of the State of Washington that the
5 foregoing is true and correct.
6

7 DATED this 13th day of August 2010 at Seattle, Washington.

8 

9
10 Lynn Lincoln Sarko, Administrator
11 Exxon Qualified Settlement Fund
12 Alyeska Qualified Settlement Fund
13 Post Office Box 21945
14 Seattle, Washington 98111
15 (206) 623-1900

16 Certificate of Service

17 The undersigned certifies that on August 16, 2010, a true and correct copy of the foregoing
18 DECLARATION OF LYNN LINCOLN SARKO IN SUPPORT OF 14th PUNITIVE DAMAGES
19 APPLICATION FOR AN ORDER DISTRIBUTING EXXON QUALIFIED SETTLEMENT FUNDS
20 TO CLAIMANTS IN VARIOUS CLAIM CATEGORIES AND THEIR ATTORNEYS
21 was served on the following attorneys or parties of record by the court's ECF system:

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23 PATTON BOGGS LLP
24 E-mail: dserdahely@pattonboggs.com

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By: s/ David W. Oesting

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