

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:09cv262**

IN RE WACHOVIA CORPORATION)
ERISA LITIGATION)
)
)
)
THIS DOCUMENT RELATES TO:)
ALL ACTIONS)
_____)

J U D G M E N T

For the reasons stated in the Orders entered simultaneously herewith,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiffs’ Motion for Settlement Class Certification [Doc. 163] is **GRANTED**, and the Court hereby certifies the following class (the “Settlement Class”) for settlement purposes only under Federal Rule of Civil Procedure 23(b)(1):

All persons other than Defendants who were participants in or beneficiaries of the Wachovia Savings Plan at any time between May 8, 2006 and December 31, 2008 and whose Plan account included units of investment in Wachovia Corporation common stock and/or participants in or beneficiaries of the A.G. Edwards, Inc. Retirement and Profit Sharing Plan at any time between October 1, 2007 and December 31, 2008 and whose Plan account included units of investment in Wachovia Corporation common stock.

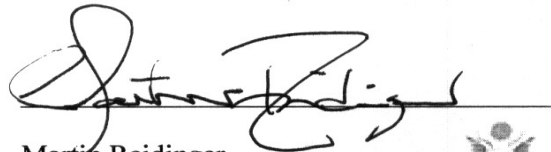
2. The Plaintiffs' Motion for Final Approval of the ERISA Class Action Settlement [Doc. 163] is **GRANTED**, the Class Members' Objections [Docs. 159, 160, 161, 167, 171] are **OVERRULED**, and the Class Action Settlement is **APPROVED** in all respects. The Parties are hereby directed to implement the Settlement in accordance with the terms and conditions of the Settlement Agreement.
3. The Plaintiffs' Motion for Approval of the Plan of Allocation [Doc. 163] is **GRANTED**, and the Plan of Allocation is **APPROVED**. Class Counsel and the Allocation Administrator are directed to allocate the Class Settlement Amount in accordance with the Settlement Agreement. Any modification or change in the Plan of Allocation that may hereafter be approved shall in no way disturb or affect this Judgment and shall be considered separate from this Judgment.
4. Class Counsel is hereby awarded attorneys' fees in the amount of \$1,852,500.00, representing 15% of the Qualified Settlement Fund, and \$94,769.55 in reimbursement of Class Counsel's reasonable expenses incurred in prosecuting the Action. The attorneys' fees and expenses so awarded shall be paid from the Qualified Settlement Fund pursuant to the terms of the Settlement Agreement. All fees and expenses paid

to Class Counsel shall be paid pursuant to the timing requirements described in the Settlement Agreement.

5. Named Plaintiffs are each hereby awarded a Case Contribution Award in the amount of \$5,000.00.
6. This Action and all claims asserted in it, as well as all of the Released Claims, are **DISMISSED WITH PREJUDICE** as to the Named Plaintiffs, the Settlement Class members, and the Plans, and as against the Releasees. The Parties are to bear their own costs, except as otherwise provided in the Settlement Agreement.

IT IS SO ORDERED.

Signed: October 24, 2011


Martin Reidinger
United States District Judge

