

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE THE GOODYEAR TIRE & RUBBER
COMPANY ERISA LITIGATION**

**Case No. 5:03CV02182
JUDGE JOHN R. ADAMS**

**ORDER APPROVING AMENDMENT TO SETTLEMENT AGREEMENT
AND SETTING NEW DATE AND TIME FOR A FAIRNESS HEARING**

This litigation involves claims for alleged violations of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §§ 1001, *et seq.* (“ERISA”), with respect to the (a) The Goodyear Tire & Rubber Company Employee Savings Plan for Salaried Employees, and (b) The Goodyear Tire & Rubber Company Employee Savings Plan for Bargaining Unit Employees (collectively the “Plan” as defined in the Settlement Agreement) against The Goodyear Tire & Rubber Company and other Defendants.¹

The parties previously submitted to this Court for preliminary approval a settlement of the litigation as against all Defendants. The terms of the Settlement are set out in a Class Action Settlement Agreement (the “Settlement Agreement”) dated September 20, 2007. The Court issued an Order Granting Preliminary Approval of the Settlement Agreement on December 12,

¹ Capitalized terms not otherwise defined in this Order shall have the same meaning as ascribed to them in the Settlement Agreement.

2008 (Doc. 173). The parties now present to the Court an amendment to the Settlement Agreement dated May 20, 2008.

Upon consideration of the parties' Joint Motion to Amend Settlement Agreement and to Request New Date for Fairness Hearing, the Court finds that the proposed Settlement as amended: (i) appears to be the product of serious, informed, non-collusive negotiations; (ii) has no obvious deficiencies; (iii) does not improperly grant preferential treatment to class representatives or segments of the class; (iv) falls within the range of possible approval; and (v) warrants notice to Class members of a formal fairness hearing, at which evidence may be presented in support of and in opposition to the proposed Settlement.

The Fairness Hearing is hereby scheduled for September 11, 2008 at 10:00 a.m. The amended deadlines related to the implementation of the Settlement are as follows:

| Event | Time for Compliance |
|---|--|
| Deadline for Mailing of Individual Notice to members of the Settlement Class (the "Notice Date") | July 29, 2008 (45 days prior to the proposed Fairness Hearing) |
| Deadline for publication of Summary Notice in <i>USA Today</i> and the <i>Akron Beacon Journal</i> | July 29, 2008 (45 days prior to the proposed Fairness Hearing) |
| Deadline for Plaintiffs to file with the Court and post on www.goodyearERISAsettlement.com their motion for award of attorneys' fees and expenses and Lead Plaintiffs compensation | August 22, 2008 (21 days prior to the proposed Fairness Hearing) |
| Deadline for Class members to comment upon or object to the proposed Settlement | August 29, 2008 (14 days prior to the proposed Fairness Hearing) |
| Deadline for Plaintiffs to file motion for final approval of the proposed Settlement, including approval of the Plan of Allocation | September 5, 2008 (7 days prior to the proposed Fairness Hearing) |
| Proposed Fairness Hearing | September 11, 2008 |

All other terms of the Order Granting Preliminary Approval of Settlement, Conditional Certification of Settlement Class, Approving Form and Method of Notice and Setting a Date and time for a Fairness Hearing (Doc. 175) shall remain in effect.

SO ORDERED this 9th day of June, 2008

/s/ John R. Adams
John R. Adams
United States District Judge