

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ODS CAPITAL LLC, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

JA SOLAR HOLDINGS CO., LTD.,
BAOFANG JIN, and SHAOHUA JIA,

Defendants.

Case No. 1:18-cv-12083-ALC

CLASS ACTION

ORDER APPROVING PLAN OF ALLOCATION

THIS MATTER having come before the Court for a hearing on July 13, 2023, on the motion of Co-Lead Plaintiffs Altimeo Asset Management (“Altimeo”) and ODS Capital LLC (“ODS,” and collectively with Altimeo, “Co-Lead Plaintiffs”) for final approval of the proposed class action Settlement and approval of the Plan of Allocation for the proceeds of the Settlement; the Court having considered all papers filed and proceedings had herein and otherwise being fully informed;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement, dated January 23, 2023 (the “Stipulation”) (ECF No. 120-1), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

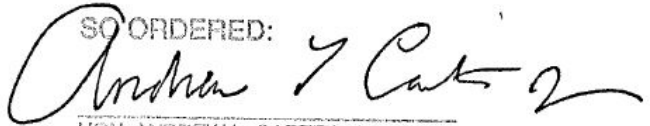
2. Pursuant to and in compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to Persons who are Settlement Class Members who could be identified with reasonable effort, advising them of the proposed Plan of Allocation, as modified, and of their right to object thereto, and a full and fair opportunity was accorded to Persons who are Settlement Class Members to be heard with respect to the Plan of Allocation. There were no objections to the Plan of Allocation.

3. Co-Lead Plaintiffs proposed a modification to the Plan of Allocation that is described on pages 23-24 of Co-Lead Plaintiffs’ memorandum of law in support of their motion for final approval of class action settlement and plan of allocation (ECF No. 124), concerning swap transactions.

4. The Court hereby finds and concludes that the proposed Plan of Allocation, as modified, for the calculation of the claims of claimants provides a fair and reasonable basis upon which to allocate the Net Settlement Fund among Settlement Class Members. The Court hereby finds and concludes that the Plan of Allocation, as modified, is, in all respects, fair, reasonable, and adequate and the Court hereby approves the Plan of Allocation.

DATED this ___13___ day of ___July_____, 2023

BY THE COURT:

SO ORDERED:


HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE