

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RYAN RODRIGUEZ, REENA B. FRAILICH,
LOREDANA NESCI, JENNFIER BRAZIL,
and LISA GINTZ, on behalf of themselves and
all others similarly situated,
Plaintiffs,

vs.

WEST PUBLISHING CORPORATION, a
Minnesota Corporation d/b/a BAR/BRI, and
KAPLAN, Inc., a Delaware Corporation,
Defendants.

CASE NO. CV-05-3222 R(MCx)

AND CONSOLIDATED ACTION

PROPOSED PLAN OF ALLOCATION

The Stipulation and Settlement Agreement (the "Settlement Agreement") entered into in the above-captioned action provides for the Net Settlement Amount to be distributed to Class Members who timely file Claim Forms. Pursuant to the Settlement Agreement, and subject to approval by the Court, the Net Settlement Amount will be distributed as follows (the "Distribution"):

1. Each Authorized Claimant's award (the "Award") will be calculated by the Claims Administrator based on the amount paid by such Claimant as indicated on the Claim Form (the "Recognized Claim") and the number and amount of Recognized Claims. In determining the Recognized Claim, the Claims Administrator shall follow the procedures set forth in the Settlement Agreement or such other procedures as ordered by the Court.
2. The Claims Administrator shall determine each Award by first determining the Authorized Claimant's distribution ratio (the "Distribution Ratio"). The Distribution Ratio will be determined by dividing the Recognized Claim by all Recognized Claims. The Award will be

calculated by multiplying each Distribution Ratio by the Net Settlement Amount subject to the terms of Paragraph 3 below.

3. No Award shall be greater than thirty (30%) percent of any Recognized Claim (the "Maximum Payment"). Should there be any funds remaining in the Net Settlement Fund after allocating the Maximum Payment to each Authorized Claimant, the balance of the Net Settlement Fund shall be allocated on a *cy pres* basis pursuant to the terms of the Settlement Agreement.

4. The Claims Administrator shall distribute the Net Settlement Fund consistent with the Settlement Agreement, this Plan of Allocation and any orders of the Court, after entry of the Class Distribution Order. Payments shall be mailed to the Class Member at the address indicated on the Claim Form. For those Class Members who indicated a preference to have the Award donated to the charity designated on the Claim Form, the Claims Administrator will pay such charity within thirty days after distribution of the Net Settlement Fund to Class Members.