

Oetker, J

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.*  
KEITH EDWARDS,

Plaintiff/Relator,

v.

JPMORGAN CHASE BANK, N.A., and  
JPMORGAN CHASE & CO.,

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A., and  
JPMORGAN CHASE & CO.,

Defendants.

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DATE FILED:

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13 Civ. 0220

**STIPULATION AND ORDER OF  
SETTLEMENT AND DISMISSAL**

WHEREAS, on February 4, 2014, the United States of America ("United States" or "Government") intervened in the above-captioned *qui tam* action and filed a complaint-in-intervention ("Federal Complaint") against JPMorgan Chase Bank, N.A., and JPMorgan Chase & Co. (collectively, "Defendants") under the False Claims Act, 31 U.S.C. § 3729 *et seq.*, and the common law;

WHEREAS, on February 4, 2014, the Court approved a Stipulation and Order of Settlement and Dismissal ("Chase Stipulation") by and among the Government, Defendants and relator Keith Edwards ("Relator"), settling the claims that the Government asserted against Defendants in the Federal Complaint;

WHEREAS, pursuant to the Chase Stipulation, Defendants agreed to pay the Government \$614 million ("Settlement Amount"). Of the Settlement Amount, Defendants agreed to pay \$564.6 million to resolve claims concerning the U.S. Department of Housing and Urban Development's Direct Endorsement Lender Program ("HUD Settlement Amount"), and \$49.4 million to resolve claims concerning the U.S. Veterans Affairs' Home Loan Guaranty Program ("VA Settlement Amount");

WHEREAS, in the Chase Stipulation, Relator agreed and confirmed that the Chase Stipulation is fair, adequate and reasonable, pursuant to 31 U.S.C. § 3730(c)(2)(B), and reserved his right under 31 U.S.C. § 3730(d) to seek a share of the Settlement Amount;

WHEREAS, Relator has asserted that, pursuant to 31 U.S.C. § 3730(d), he is entitled to receive a share of both the HUD Settlement Amount and the VA Settlement Amount; and

WHEREAS, the Government and Relator (collectively, "Parties") mutually desire to reach a full and final compromise of Relator's claim against the Government for a share of the HUD Settlement Amount and the VA Settlement Amount, pursuant to the terms set forth in this Stipulation and Order of Settlement and Dismissal ("Relator Stipulation");

NOW THEREFORE, IT IS HEREBY ORDERED, upon the consent of the Government and Relator, by and through their respective counsel:

1. Contingent upon and following payment by Defendants to the Government of the Settlement Amount, and within a reasonable time following the Government's receipt of the Settlement Amount, the Government shall pay to Relator, pursuant to the instructions provided by his attorney, the amounts set forth below (inclusive of interest):

a. The Government shall pay Relator \$56,460,000 of the HUD Settlement Amount.

b. The Government shall pay Relator \$7,410,000 of the VA Settlement Amount.

2. Relator agrees and confirms that the settlement set forth in this Relator Stipulation of his claim for a share of the HUD Settlement Amount and the VA Settlement Amount is fair, adequate and reasonable.

3. Upon receipt of the amounts identified in Paragraph 1 above, Relator — for himself and his heirs, successors, attorneys, agents and assigns — shall release and shall be deemed to have released and forever discharged the Government from: (a) any claim for a share of the HUD Settlement Amount or the VA Settlement Amount, including any claim pursuant to 31 U.S.C. § 3730(d); and (b) any other claims arising from or relating to the filing of the above-captioned action.

4. This Relator Stipulation shall be null and void if it is voided for any reason, including if a court were to hold that the Chase Stipulation is not fair, adequate and reasonable pursuant to 31 U.S.C. § 3730(c)(2)(B).

5. This Relator Stipulation does not resolve or, in any manner affect any claims that the Government has or may have against Relator arising under Title 26, United States Code (Internal Revenue Code). Nor does this Relator Stipulation resolve or in any manner affect any claims that Relator may have against Defendants for attorney's fees and costs, pursuant to 31 U.S.C. § 3730(d).

6. This Relator Stipulation shall be binding only on the Parties and their heirs, successors, attorneys, agents and assigns.

7. The undersigned counsel for the Government and counsel for Relator represent that they are fully empowered and authorized to sign this Relator Stipulation on behalf of the Government and Relator, respectively.

8. This Relator Stipulation may not be changed, altered or modified, except by a written document signed by the Government and Relator.

9. This Relator Stipulation shall be governed by the laws of the United States. The Parties agree that the exclusive jurisdiction and venue for any dispute arising under this Relator Stipulation shall be the United States District Court for the Southern District of New York.

10. This Relator Stipulation may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

11. This Relator Stipulation is effective on the date the Court enters it. The Court shall continue to retain jurisdiction to resolve any dispute concerning any claims Relator may assert against Defendants for attorney's fees and costs, pursuant to 31 U.S.C. § 3730(d).

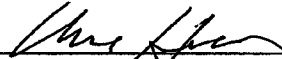
Agreed to by:

**THE UNITED STATES OF AMERICA**

Dated: New York, New York  
March 6, 2014

PREET BHARARA  
United States Attorney for the  
Southern District of New York

By:

  
CHRISTOPHER B. HARWOOD  
Assistant United States Attorney  
86 Chambers Street, Third Floor  
New York, New York 10007  
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*Attorney for the United States of America*

RELATOR

Dated: St. Louis, Missouri  
March 5, 2014

By: 

DAVID G. WASINGER  
The Wasinger Law Group P.C.  
Magna Place, Suite 875  
1401 S. Brentwood Blvd.  
St. Louis, MO 63144  
Telephone: (314) 961-0400  
Facsimile: (314) 961-2726

*Attorney for Relator*

Dated: Murphy, Texas  
March 5, 2014

  
KEITH EDWARDS

*Relator*

SO ORDERED:

  
HON. J. PAUL OETKEN  
UNITED STATES DISTRICT JUDGE 

Dated: March 7, 2014