

**COMMONWEALTH OF KENTUCKY  
FAYETTE CIRCUIT COURT  
FOURTH DIVISION**

Civil Action No. 20-CI-00332

**HAYNES PROPERTIES, LLC,**  
*et al.*

**PLAINTIFFS**

vs.

**Order Approving Cy Pres Payments of Residual**  
(final and appealable)

**BURLEY TOBACCO GROWERS  
COOPERATIVE ASSOCIATION, et al.**

**DEFENDANTS**

The Plaintiffs/Class Representatives and the Burley Tobacco Growers Cooperative Association in dissolution having filed a Joint Motion for *Cy Pres* Payments to be made, the Joint Motion having come on for hearing as noticed on September 19, 2025, there having been an opportunity to be heard, and the Court being duly and sufficiently advised, the Joint Motion is GRANTED and IT IS HEREBY FOUND and ORDERED as follows:

1. The \$148,924.13 residual amount, now being held in escrow by the McBrayer firm, be paid as donations in the name of the Co-op, allocated as follows:
  - a. 25% plus one cent (\$37,231.04) to the Civil Rule 23 Account maintained by the Kentucky IOLTA Fund Board of Trustees pursuant to Supreme Court Rule 3.830(2); and
  - b. 25% (\$37,231.03) for agricultural scholarships at each of the following university departments:
    - i. the Hutson School of Agriculture at Murray State University, designated for a scholarship endowment in the name of the Co-op (if available);
    - ii. the Department of Agriculture and Food Science at Western Kentucky University, designated for the existing Co-op scholarship fund; and

iii. the Department of Agricultural Sciences at Morehead State University, designated for scholarship endowment in the name of the Co-op (if available).

2. These *cy pres* payments will exhaust the remaining net dissolution proceeds and there will then be nothing held in escrow by the McBrayer firm that is subject to further order by this Court. Because no further distributions will be made to implement the Amended Opinion and Order Approving Partial Settlement entered July 28, 2021, to the Settlement Class or any of its members, or in connection with the dissolution of the Co-op, there is no cause for delay and this Order is declared to be final and appealable.



Hon. Julie Muth Goodman  
Judge Fayette Circuit Court

PREPARED BY and ATTESTED as in conformity to the ruling and that there was no opposition at motion hour:

/s/ Katherine K. Yunker  
Katherine K. Yunker (KBA # 79592)  
Jason R. Hollon (KBA # 96148)  
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/s/ Kevin G. Henry w/permission  
Kevin G. Henry  
Charles D. Cole  
STURGILL, TURNER, BARKER & MALONEY PLLC  
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**CLERK’S CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing has been served on the \_\_\_ day of \_\_\_\_\_ 2025, via electronic notice to the following counsel:

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AND served on the \_\_\_ day of \_\_\_\_\_ 2025, via U.S. Mail, first class, to the below-listed unrepresented objectors to the proposed settlement:

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Clerk, Fayette Circuit Court