

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

In Re:

NIGERIA CHARTER FLIGHTS CONTRACT  
LITIGATION

MDL Docket No.: 04-1613

Case No: 04-CV-0304 (RJD/MDG)

THIS DOCUMENT RELATES TO:

*Anyoku et al v. World Airways, Inc. et al*

**ORDER**

The Court, having granted the Joint Motion for Preliminary Approval of Settlement of Class Action and the Approval of the Form of Class Notice, by Order dated May 20, 2008 (Docket No. 199), having considered objections to Class Settlement (Docket No. 201), having considered arguments of counsel at the September 11, 2008 Fairness Hearing, and having granted Class Counsel's Motion for Attorneys Fees and Costs by Order dated December 8, 2008 (Docket No. 220), hereby finds as follows:

1. That the final settlement of this class action is the result of non-collusive, arms-length negotiations among counsel for the class, World Airways, Inc. and Capitol Indemnity Corporation, respectively;
2. That the final settlement of this class action does not grant preferential treatment to the class representatives or any segment of the class;
3. That the final settlement of this class action does not provide for excessive compensation for Class Counsel;
4. That the final settlement of this class action is fair, reasonable and adequate;

5. That further prosecution of all claims covered by the final settlement of the class action is enjoined and any and all state and federal court actions prosecuting such claims are hereby dismissed with prejudice;

6. That commencement and prosecution of any contribution and/or indemnification claim or any other action by or on behalf of any class representative or other claimant against World Airways, Inc. and Capitol Indemnity Corporation arising out claims covered by the final settlement of the class action are hereby barred and enjoined; and

7. That the Public Charter Operator's Bond (No. 60015448) with a \$200,000 penal sum limit that Capitol Indemnity Corporation issued to Ritetime Aviation and Travel Services, Inc. is hereby discharged and cancelled.

THEREFORE, IT IS ORDERED:

1. That final settlement of this class action is APPROVED in all respects and shall be administered consistent with the Settlement Agreement attached as Exhibit 1 to the Declaration in Support of Motion for Settlement (Docket No. 194).

IT IS SO ORDERED.

Dated: Brooklyn, New York

12/10/08

s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE  
Hon. RAYMOND J. DEARIE  
Chief United States District Judge