

IN THE CIRCUIT COURT FOR KNOX COUNTY, TENNESSEE FILED

THERESA and GARY HURD, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

AMERICA'S COLLECTIBLES NETWORK,
INC. d/b/a JEWELRY TELEVISION,

Defendant.

2009 NOV 10 P 2:19

J. Workman
CATHERINE F. QUIST
CIRCUIT COURT CLERK

Case No. 225508

**ORDER OF FINAL APPROVAL, JUDGMENT AND FOR DISTRIBUTION OF
SETTLEMENT FUNDS**

Plaintiffs, on behalf of themselves and all others similarly situated, and Defendant America's Collectibles Network, Inc. d/b/a Jewelry Television (hereinafter referred to as "JTV"), having executed and filed the Stipulation of Settlement (the "Settlement") (the recitals and definitions of which are incorporated by reference herein); the Court having entered its Order dated October 22, 2008, Granting Preliminary Approval of Proposed Settlement, Directing Notice Thereof and Scheduling a Final Approval Hearing, which order preliminarily approved the proposed settlement, directed the dissemination of Notice of the Settlement to the Class, and scheduled a hearing to determine whether the Settlement should be approved as fair, reasonable, and adequate; said notice having been given; a hearing on Final Approval of Class Action Settlement having been held on

January 12, 2009, at which time all interested persons were given an opportunity to be heard; an Order Granting Motion for Order Granting Final Approval of Proposed Settlement, Approving Attorney's Fees and Class Representative Incentive Awards, and Entering Final Judgment being entered on January 14, 2009; an Agreed Order being entered on May 28, 2009 allowing for certain additional claims to be filed and considered; an Order with regard to consideration of late-filed claims being entered July 13, 2009; an Order entered September 2, 2009 approving the Report on Administration of Settlement, approving the "Determination Letters," allowing Class Claimants to file formal objections to distribution determinations by October 19, 2009 and setting a Final Hearing on October 30, 2009 for final approval of all Andesine-Labradorite settlement claim determinations and to consider all objections; the Notice of Filing Report on Administration of Settlement and Claim Determinations and Affidavit of Matt C. Israel and also the Report on Administration of Settlement and Affidavit of Matt C. Israel ("Report") and all the attached exhibits to the Report filed on October 29, 2009; the hearing in open court on October 30, 2009, whereby the administration of claims process, objections, and all other matters were presented to the Court, and the Court having reviewed and considered the entire record herein;

It is hereby **ADJUDGED, ORDERED and DECREED** that:

1. With respect to the various letters and forms received by the Court as contained in the Court file, any objections contained therein are hereby **OVERRULED**.
2. The Report and exhibits thereto as filed on October 29, 2009, are approved and the factual information therein provided is adopted as findings of the Court and

incorporated herein by reference. The claim determinations as specified in paragraphs 8 and 9 of the Report and in Exhibit 8 to the Report are approved. Based upon the approved claim determinations and based upon the Settlement and the Notice and Claim Form, as approved by the Court:

a. Each approved Option 1 claimant will receive from the \$1 million fund an amount equal to 41.9% ($\$1,000,000 \div \$2,386,717.32$) of his or her approved claim amount plus 40% of the balance of his or her approved claim amount in store credit.

b. Each approved Option 2 claimant will receive from the \$500,000 fund (reduced from \$1,000,000) 16.26% ($\$500,000 \div \$3,075,063.09$) of his or her approved claim amount plus return of A-L gemstones.

c. Each approved Option 3 claimant will receive 100% of his or her approved claim amount in store credit.

d. Each approved Class 2 claimant will receive from the \$200,000 fund 5.86% ($\$200,000 \div \$3,417,264.92$) of his or her approved Class 2 claim amount.

3. Within fifteen (15) days after this Judgment becomes Final, JTV shall cause checks and store credit in the amounts as calculated in accordance with paragraph 2 above to be sent and established, as applicable, to the Claimants whose claims have been approved.

4. All persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the claims submitted herein, or otherwise involved in the administration or taxation of the settlement proceeds referenced in Paragraph No. 2

herein, including all sub paragraphs, (the "Settlement Proceeds"), are released and discharged from any and all claims arising out of such involvement, and all Class Members, whether or not they are to receive payment or store credit of the Settlement Proceeds, are forever barred from making any further claims against the Settlement Proceeds or otherwise beyond the amount allocated to them as provided in this Order.

5. Any and all persons involved in the review, verification, calculation, tabulation, or any other aspect of the processing of the claims submitted herein, or otherwise involved in the administration or taxation of the Settlement Proceeds, excluding court personnel, are authorized to destroy the paper copies of the Proof of Claim and Release forms (the "Claim Forms") and other physical media submitted by Claimants one year after the final distribution of the Settlement Proceeds, and are authorized to destroy electronic copies of claim records held by these same persons three years after final distribution of the Settlement Proceeds.

6. The approval of the Settlement given by the Court and entry of this Final Judgment fully and without reservation releases and forever discharges Defendant from any and all manner of claims, actions, suits, liabilities, damages, and rights and causes of action, known or unknown, whether in law or in equity, that any Plaintiff or Class Member now has or has ever had based upon the matters alleged (or which could have been alleged) in the Complaint filed in this lawsuit.

7. Without affecting the finality of this Final Judgment, the Court reserves exclusive jurisdiction over all matters relating to the implementation and enforcement of the Settlement.


8. Under Tennessee law, the Court, in the interests of justice, there being no just reason for delay, expressly directs the Clerk of the Court to enter this Final Judgment, and hereby decrees, that upon entry, it be deemed as a final judgment and appealable with respect to the administration of the claims made by class members in accordance with the Settlement.

9. An exact copy of this Order and Judgment shall be posted on the andesine class action website at www.andesineclassaction.com.

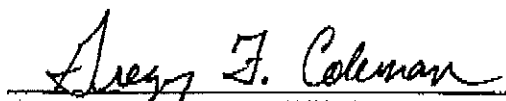
10. The Court further directs the Clerk of the Court to maintain, for a period of five (5) years, the record of those members, if any, of the Class who have timely excluded themselves.

11. Court costs to date are taxed to Defendant. No discretionary costs will be claimed or taxed.

ENTER this 10 day of NOVEMBER, 2009.


HAROLD WIMBERLY, JR.
CIRCUIT COURT JUDGE, DIVISION II

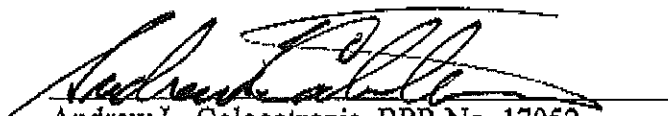
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