

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

IN RE: READY-MIXED CONCRETE ANTITRUST LITIGATION,)	Master Docket No.
)	1:05-cv-00979-SEB-JMS
)	
)	
THIS DOCUMENT RELATES TO: ALL ACTIONS)	
)	
)	

**PLAINTIFFS’ MOTION FOR APPROVAL OF
PROPOSED PLAN OF DISTRIBUTION OF SETTLEMENT FUNDS,
AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF EXPENSES,
AND AWARD OF CLASS REPRESENTATIVES’ INCENTIVE FEES**

The Plaintiffs, Kort Builders, Inc., Dan Grote, Cherokee Development, Inc., Wininger/Stolberg Group, Inc., Marmax Construction, LLC, Boyle Construction Management, Inc., and T&R Contractor, Inc. (collectively “Plaintiffs”), by Settlement Class Counsel (“Class Counsel”), respectfully move the Court for an Order approving their proposed distribution of the combined American, Shelby and Prairie/Southfield Settlement Funds, including: (1) a *pro rata* allocation of net Settlement Funds among Settlement Class Members according to the respective amount of their purchases of ready-mixed concrete from the Defendants; (2) an award of attorneys’ fees in the unopposed amount of 33.33% of the Settlement Funds; (3) the reimbursement of litigation expenses incurred by Class Counsel; and (4) a class representative incentive award to each of the named Plaintiffs. Plaintiffs and Class Counsel have filed a Memorandum and the Declaration of Irwin B. Levin in support of this Motion.

Date: March 3, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2009, a copy of the foregoing document, was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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