

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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IN RE ROYAL DUTCH/SHELL	:	Civ. No. 04-374 (JAP)
TRANSPORT SECURITIES	:	(Consolidated Cases)
LITIGATION	:	

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**ORDER**

Presently before the Court is a motion by Defendants N.V. Koninklijke Nederlandsche Petroleum Maatschappij (also known as the Royal Dutch Petroleum Company) and The “Shell” Transport and Trading Company, p.l.c., (collectively “Shell”) brought pursuant to Federal Rule of Civil Procedure 53(g), seeking the Court to adopt the September 18, 2007 Report and Recommendation of Special Master Nicholas H. Politan (“the Report”). The Report recommended that the Court hold that it does not have subject matter jurisdiction over the federal securities claims asserted by those persons and entities within the putative class who purchased their shares on exchanges outside of the United States and at the time of such purchase were residents or citizens of, or were incorporated in or created under the laws of, any jurisdiction other than the United States (“Non-U.S. Purchasers”). For the reasons set forth in the accompanying Opinion,

**IT IS** on this 13th day of November, 2007,

**ORDERED** that the Report and Recommendation of Special Master Nicholas H. Politan, dated September 18, 2007, recommending that the Court hold that it lacks subject matter jurisdiction over the claims asserted by the Non-U.S. Purchasers is hereby **ADOPTED** as the findings of fact and conclusions of law of this Court; and it is further

**ORDERED** that all claims asserted by the Non-U.S. Purchasers brought under the Securities Exchange Act of 1934, 15 U.S.C. § 78a *et seq.*, are **DISMISSED** with prejudice; and it is further

**ORDERED** that, pursuant to this Court's Order entered on May 24, 2007 (Dkt. # 329), Shell's motions to sever and dismiss the claims of the Non-U.S. Purchasers under the doctrines of *forum non conveniens* and comity (Dkt. # 317) are moot and, thus, are deemed **WITHDRAWN** with prejudice; and it is further

**ORDERED** that, pursuant to this Court's Order entered on May 24, 2007 (Dkt. # 329), Lead Plaintiffs' motion to enjoin Shell from seeking a declaration of the Amsterdam Court of Appeals as to the binding effect of the Settlement Agreement on the Non-U.S. Purchasers (Dkt. # 319) is deemed **WITHDRAWN** with prejudice.

**SO ORDERED.**

/s/ Joel A. Pisano  
JOEL A. PISANO, U.S.D.J.

Orig: Clerk  
cc: All parties, File