

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

IN RE MUTUAL FUNDS INVESTMENT  
LITIGATION

\* MDL 1586

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In Re Alger, Columbia, Janus, MFS, One  
Group, Allianz Dresdner and Putnam

\* No. 04-15863

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*Saunders, et al. v. Putnam American  
Government Income Fund, et al.*

\* No. 04-560

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**[PROPOSED] INVESTOR CLASS ORDER**

For the reasons stated in the Memorandum filed November 3, 2005, it is, this \_\_\_\_ day of  
\_\_\_\_, 200\_,

**ORDERED:**

1. All claims against the Investment Company Registrants identified in Schedule A  
to this Order are dismissed without leave to amend;

2. The motions filed by Putnam Investments Trust, Putnam, LLC, Putnam  
Investment Management Trust, Putnam Investment Management, LLC and Putnam Retail  
Management Limited Partnership, are (to the extent such claims are asserted against particular  
defendants):

- (a) Denied as to all claims under the Exchange Act of 1934 (Section  
10(b)/Rule 10b-5, and Section 20(a));
- (b) Granted as to all claims under the Securities Act of 1933 (Section 11,  
Section 12(a)(2), and Section 15) without leave to amend;

- (c) Granted as to all claims under Sections 34(b) and 36(a) of the Investment Company Act (the “ICA”) and the related claim under Section 48(a) of the ICA, without leave to amend;
- (d) Denied as to the claim under Section 36(b) of the ICA and the related claim under Section 48(a) of the ICA; and
- (e) Granted as to all state law claims (breach of fiduciary duty, aiding and abetting breach of fiduciary duty, and unjust enrichment), but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.

3. The motions filed by Jameson A. Baxter, Charles B. Curtis, John A. Hill, Ronald J. Jackson, Paul L. Joskow, Elizabeth T. Kennan, John H. Mullin, III, Robert E. Patterson, W. Thomas Stephens, and W. Nicholas Thorndike are:

- (a) Granted as to the claim under Section 11 of the Securities Act of 1933 without leave to amend;
- (b) Granted as to all claims under the ICA without leave to amend;
- (c) Granted as to all state law claims, but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel; and
- (d) Deferred as to the claim under Section 20(a) of the Exchange Act of 1934.

4. The motions filed by Lawrence J. Lasser, Gordon H. Silver, Irene M. Esteves, Robert F. Lucey, William H. Woolverton, Ian S. Ferguson, Stephen M. Oristaglio, George Putnam, III and A.J.C. Smith are (to the extent such claims are asserted against particular defendants):

- (a) Deferred as to all claims under the Exchange Act of 1934 (Section 10(b)/Rule 10b-5 and Section 20(a));
  - (b) Granted as to all claims under the Securities Act of 1933 (Section 11), without leave to amend;
  - (c) Granted as to all claims under the ICA without leave to amend;
  - (d) Granted as to the state law claims (breach of fiduciary duty/constructive fraud, and unjust enrichment), but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.
5. The motion filed by Banc of America Securities, LLC is:
- (a) Denied as to all claims under the Exchange Act of 1934 (Section 10(b)/Rule 10b-5); and
  - (b) Granted as to the state law claims (aiding and abetting breach of fiduciary duty, and unjust enrichment), but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.
6. The motion filed by Bank of America Corporation is:
- (a) Deferred as to all claims under the Exchange Act of 1934 (Section 10(b)/Rule 10b-5); and
  - (b) Granted as to the state law claims (aiding and abetting breach of fiduciary duty, and unjust enrichment), but, if Bank of America Corporation is held to be a proper defendant, plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.

7. The motions filed by RTE Asset Management, Schield Management Company, Buffalo Capital Corporation, Lincoln Financial Advisors Corporation, Spectrum Financial, Inc., BTS Asset Management and Prudential Securities, Inc., are:

- (a) Granted as to all claims under the Exchange Act of 1934 (Section 10(b)/Rule 10b-5) without leave to amend, but plaintiffs shall be entitled to file a motion for reconsideration of the rulings contained in the Court's November 3, 2005 Memorandum as to these defendants; and
- (b) Granted as to the state law claims (aiding and abetting breach of fiduciary duty, and unjust enrichment), but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.

8. The motions filed by Trautman Wasserman & Company, Inc., Pritchard Capital Partners, LLC and Merrill Lynch, Pierce, Fenner & Smith, Inc. are:

- (a) Granted as to all claims under the Exchange Act (Section 10(b)/Rule 10b-5) without leave to amend; and
- (b) Granted as to the state law claims (aiding and abetting breach of fiduciary duty and unjust enrichment), but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.

9. The motions filed by Omid Kamshad, Geirulv Lode, Carmel Peters, Justin Scott, James Prusko, and Frank Perfetuo are:

- (a) Deferred as to all claims under the Exchange Act of 1934 (Section 10(b)/Rule 10b-5);
- (b) Granted as to the claim under the ICA, without leave to amend;

(c) Granted as to the state law claims (breach of fiduciary duty and unjust enrichment), but plaintiffs are granted leave to amend as to these claims within a deadline to be set after conferring with counsel.

10. The Court expressly reserves for future decision the motion of the Marsh & McLennan Companies, Inc.

11. This action is stayed as against Edward J. Stern; Canary Capital Partners, LLC; Canary Capital Partners, Ltd; and Canary Investment Management, LLC.

12. As to the claims under Section 36(b) of the ICA and the related claims under Section 48(a) of the ICA that have not been dismissed, this order is subject to a ruling that the Court will make later in the case on whether these claims are properly asserted as direct/class claims, or as derivative claims. The Court has not yet ruled on that issue.

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J. Frederick Motz  
United States District Judge

**Schedule A**

Putnam Investment Funds  
Putnam Funds Trust  
Putnam Tax-Free Income Trust  
Putnam Asset Allocation Fund  
Putnam Tax Smart Funds Trust  
Putnam International Equity Fund  
Putnam Investors Fund  
Putnam Money Market Fund  
Putnam Municipal Income Fund  
Putnam New Opportunities Fund  
Putnam OTC & Emerging Growth Fund  
Putnam Preferred Income Fund  
Putnam Strategic Income Fund  
Putnam Tax Exempt Income Fund  
Putnam Tax Exempt Money Market Fund  
Putnam U.S. Government Income Trust  
Putnam Utilities Growth and Income Fund  
Putnam Vista Fund  
Putnam Voyager Fund  
Putnam American Government Income Fund  
Putnam Asia Pacific Growth Fund  
Putnam Balanced Retirement Fund  
Putnam Capital Appreciation Fund  
Putnam Classic Equity Fund  
Putnam Convertible Income-Growth Trust  
Putnam Discovery Growth Fund  
Putnam Diversified Income Trust  
Putnam Equity Income Fund  
Putnam Europe Equity Fund  
Putnam Global Equity Fund  
Putnam Global Income Trust  
Putnam Global Natural Resources Fund  
Putnam Health Sciences Trust  
Putnam High Yield Advantage Fund  
Putnam High Yield Trust  
Putnam Income Fund  
Putnam Intermediate U.S. Government Income Fund  
The George Putnam Fund of Boston  
The Putnam Fund for Growth and Income  
Putnam Arizona Tax Exempt Income Fund  
Putnam California Tax Exempt Income Fund  
Putnam Florida Tax Exempt Income Fund  
Putnam Michigan Tax Exempt Income Fund  
Putnam New Jersey Tax Exempt Income Fund

Putnam Ohio Tax Exempt Income Fund  
Putnam Pennsylvania Tax Exempt Income Fund  
Putnam California Tax Exempt Money Market Fund  
Putnam New York Tax Exempt Money Market Fund  
Putnam Massachusetts Tax Exempt Income Fund  
Putnam Minnesota Tax Exempt Income Fund  
Putnam New York Tax Exempt Income Fund