

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ARKANSAS TEACHER RETIREMENT SYSTEM,)	
on behalf of itself and all others similarly situated)	
)	No. 11-cv-10230 MLW
Plaintiffs,)	
)	
v.)	
)	
STATE STREET BANK AND TRUST COMPANY,)	
)	
Defendant)	
)	

MOTION TO WITHDRAW APPEARANCE OF STUART M. GLASS

Pursuant to Local Rule 83.5.2(c), the undersigned counsel respectfully moves the Court to withdraw his appearance as counsel for Labaton Sucharow in the above-captioned action because his departure from Choate, Hall & Stewart, LLP will take effect shortly. Labaton Sucharow will continue to be represented by Joan A. Lukey and Justin J. Wolosz of Choate, Hall & Stewart, LLP.

All counsel have consented to this Motion.

Respectfully submitted,

/s/ Stuart M. Glass

Stuart M. Glass (BBO No. 641466)
 CHOATE, HALL & STEWART LLP
 Two International Place
 Boston, Massachusetts 02110
 (617) 248-5000

Attorney for Labaton Sucharow LLP

Dated: September 5, 2018

LOCAL RULE 7.1(a)(2) CERTIFICATION

I hereby certify that all counsel have consented to the relief sought by this motion.

/s/ Stuart M. Glass _____

Stuart M. Glass

CERTIFICATION OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 5, 2018.

/s/ Stuart M. Glass _____

Stuart M. Glass

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ARKANSAS TEACHER RETIREMENT SYSTEM,
on behalf of itself and all others
similarly situated,

Plaintiff,

No. 11-cv-10230-MLW

vs.

STATE STREET BANK AND TRUST COMPANY,

Defendant.

_____ /

ARNOLD HENRIQUEZ, MICHAEL T. COHN,
WILLIAM R. TAYLOR, RICHARD A.
SUTHERLAND, and those similarly situated,

Plaintiffs,

No. 11-cv-12049-MLW

vs.

STATE STREET BANK AND TRUST COMPANY,

Defendant.

_____ /

THE ANDOVER COMPANIES EMPLOYEE
SAVINGS AND PROFIT SHARING PLAN, on
behalf of itself, and JAMES PEHOUSHEK-
STANGELAND and all others similarly situated,

Plaintiffs,

No. 12-cv-11698-MLW

vs.

STATE STREET BANK AND TRUST COMPANY,

Defendant.

_____ /

JOINT RESPONSE TO COURT'S AUGUST 28, 2018 ORDER

On August 16, 2018, in response to the Court's August 10, 2018 Order [Dkt. # 445], the Special Master proposed a timeline for proceeding in the post-Report stages of the investigation. Specifically, the Master recommended that the parties continue discussing a joint resolution of outstanding issues, for the Court's consideration, through September 6, 2018, at which time the Master would advise the Court whether (i) additional time is necessary to reach a global resolution; or (ii) given the circumstances, it is unlikely that the parties will reach a global proposal, making it appropriate to begin preparing responses to the Law Firms' various objections. On August 28, 2018, the Court ordered the Master and the Lawyers to confer and by September 6, 2018, report, jointly if possible, on the status of those discussions, including any requests for additional time, to reach a proposal to resolve some or all of the issues in dispute in the matter. Dkt. # 460. The Special Master has conferred with counsel and provides the following update to the Court¹:

Given the Court's guidance, the Special Master and the Lawyers have engaged in good faith discussions to reach a global proposal to resolve the issues remaining in the Master's investigation. Those discussions are ongoing. In an effort to expedite discussions, the Master has invited all the Lawyers to attend a global, in-person meeting on September 11, 2018, in Boston, to continue discussions and pursue a final resolution, if possible. Both Customer Class Counsel (Labaton, Lieff Cabraser, and Thornton Law Firm) and ERISA counsel (Keller Rohrback, McTigue Law, and Zuckerman Spaeder) have accepted the invitation to attend the meeting with the Special Master and his counsel.

¹ The Special Master conferred with all counsel concerning the substance of this pleading. Labaton and Keller Rohrback have joined in the Joint Proposal. Thornton Law Firm responds separately stating its position on the status of the investigation. At the time of filing, the Master had not yet received approval from other counsel.

Given the complexity of the legal and factual issues up for discussion, the Special Master, along with certain of the Lawyers², respectfully request that the Court provide the parties an additional twelve (12) days (one week from the upcoming September 11, 2018 meeting), or until September 18, 2018, to finalize an agreed-to proposal for resolution, should it be possible to do so, and present it to the Court for consideration. If the parties are unable to reach a proposal by September 18, 2018, the Special Master will proceed, at the Court's direction, in responding to the Law Firms' objections in accordance with a schedule set by the Court at a future time.

Moreover, the Special Master notes that any further filing of substantive pleadings may prove counterproductive to resolution discussions -- during which the parties have been collaborating and working together to resolve outstanding issues. Because efforts have been made toward reaching a proposed resolution with certain of the Law Firms, any submission or response to any pending motion at this stage would greatly distract the parties from the shared goal of resolution and likely impede the resolution process. The Special Master³, therefore, respectfully request that the Court stay the filing of any substantive pleadings and motion papers until the period for reaching a proposed resolution has run on September 18, 2018.

² See note 1, *supra*.

³ Labaton and Keller Rohrback join in this request.

Dated: September 6, 2018

Respectfully submitted,

**SPECIAL MASTER HONORABLE
GERALD E. ROSEN (RETIRED),**

By his attorneys,

/s/ William F. Sinnott

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CERTIFICATE OF SERVICE

I hereby certify that this foregoing document was filed electronically on September 6, 2018 and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing (“NEF”). Paper copies were sent to any person identified in the NEF as a non-registered participant.

/s/ William F. Sinnott
William F. Sinnott

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ARKANSAS TEACHER RETIREMENT SYSTEM,
on behalf of itself and all others similarly situated,
Plaintiffs,

v.

STATE STREET BANK AND TRUST COMPANY,
Defendant.

No. 11-cv-10230 MLW

ARNOLD HENRIQUEZ, MICHAEL T. COHN,
WILLIAM R. TAYLOR, RICHARD A. SUTHERLAND,
and those similarly situated,
Plaintiffs,

v.

STATE STREET BANK AND TRUST COMPANY,
STATE STREET GLOBAL MARKETS, LLC and
DOES 1-20,
Defendants.

No. 11-cv-12049 MLW

THE ANDOVER COMPANIES EMPLOYEE SAVINGS
AND PROFIT SHARING PLAN, on behalf of itself, and
JAMES PEHOUSHEK-STANGELAND, and all others
similarly situated,
Plaintiffs,

v.

STATE STREET BANK AND TRUST COMPANY,
Defendant.

No. 12-cv-11698 MLW

**THORNTON LAW FIRM LLP'S
RESPONSE TO AUGUST 28, 2018 COURT ORDER**

Pursuant to the Court's August 28, 2018 Order, the Thornton Law Firm advises the Court that there is no agreed upon proposed resolution of this matter but that it does not object to additional time for the law firms and the Special Master to discuss the issues further at the Special Master's meeting on September 11.

Respectfully submitted,

/s/ Brian T. Kelly
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Dated: September 6, 2018

Counsel for the Thornton Law Firm LLP

CERTIFICATE OF SERVICE

I certify that the foregoing document was filed electronically on September 6, 2018 and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing (“NEF”).

/s/ Joshua C. Sharp
Joshua C. Sharp