



LOWEY DANNENBERG, P.C.

October 20, 2022

**Via ECF**

The Honorable Lewis A. Kaplan  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *Dennis, et al. v. JPMorgan Chase & Co., et al.*, 16-CV-6496 (LAK) (S.D.N.Y.)**

Dear Judge Kaplan:

We are counsel for Plaintiffs and write to provide an update to our letter dated October 17, 2022 regarding requests for exclusion (ECF No. 580).

Plaintiffs have conferred with counsel for Settling Defendants as to their respective positions regarding the requests for exclusion received from KPMG and Kerant. Nine Settling Defendants<sup>1</sup> do not take a position as to whether the requests for exclusion should be accepted by the Court. Morgan Stanley and Morgan Stanley Australia Limited, Credit Suisse AG and Credit Suisse Group AG, and The Royal Bank of Scotland plc (n/k/a NatWest Markets plc) do not take a position regarding the timeliness of the requests for exclusion, but state that the requests for exclusion are deficient because they do not provide the information required by the Class Notice. See ECF No. 580-1, p. 6 (requests for exclusion did not include a description of the BBSW-Based Derivatives transactions of the Class member requesting exclusion).

Respectfully submitted,

/s/Vincent Briganti                      /s/Christopher Lovell  
Lowey Dannenberg, P.C.      Lovell Stewart Halebian Jacobson LLP

cc: All Counsel of Record (via ECF)

---

<sup>1</sup> JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A., Westpac Banking Corporation, Australia and New Zealand Banking Group Ltd., Commonwealth Bank of Australia, National Australia Bank Limited, BNP Paribas, S.A., Deutsche Bank AG, Royal Bank of Canada, and UBS AG.