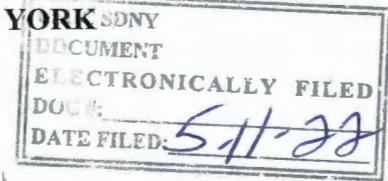


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



RICHARD DENNIS, SONTERRA CAPITAL MASTER FUND, LTD., FRONTPOINT FINANCIAL SERVICES FUND, L.P., FRONTPOINT ASIAN EVENT DRIVEN FUND, L.P., FRONTPOINT FINANCIAL HORIZONS FUND, L.P., AND ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM, on behalf of themselves and all others similarly situated,

Docket No. 16-cv-06496 (LAK)

Plaintiffs,

-against-

JPMORGAN CHASE & CO., JPMORGAN CHASE BANK, N.A., JPMORGAN CHASE BANK, N.A. AUSTRALIA BRANCH, BNP PARIBAS, S.A., BNP PARIBAS, AUSTRALIA BRANCH, THE ROYAL BANK OF SCOTLAND GROUP PLC, THE ROYAL BANK OF SCOTLAND PLC, RBS N.V., RBS GROUP (AUSTRALIA) PTY LIMITED, UBS AG, UBS AG, AUSTRALIA BRANCH, AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD., COMMONWEALTH BANK OF AUSTRALIA, NATIONAL AUSTRALIA BANK LIMITED, WESTPAC BANKING CORPORATION, DEUTSCHE BANK AG, DEUTSCHE BANK AG, AUSTRALIA BRANCH, HSBC HOLDINGS PLC, HSBC BANK AUSTRALIA LIMITED, LLOYDS BANKING GROUP PLC, LLOYDS BANK PLC, LLOYDS TSB BANK PLC, AUSTRALIA, MACQUARIE GROUP LTD., MACQUARIE BANK LTD., ROYAL BANK OF CANADA, RBC CAPITAL MARKETS LLC, ROYAL BANK OF CANADA, AUSTRALIA BRANCH, MORGAN STANLEY, MORGAN STANLEY AUSTRALIA LIMITED, CREDIT SUISSE GROUP AG, CREDIT SUISSE AG, ICAP PLC, ICAP AUSTRALIA PTY LTD., TULLETT PREBON PLC, TULLETT PREBON (AUSTRALIA) PTY LTD., AND JOHN DOES NOS. 1-50.

Defendants.


**[PROPOSED] ORDER
MODIFYING APPROVED CLASS
NOTICE PLAN AND
SCHEDULED HEARING FOR
FINAL APPROVAL OF CLASS
ACTION SETTLEMENTS WITH
WESTPAC BANKING
CORPORATION, AUSTRALIA
AND NEW ZEALAND BANKING
GROUP LIMITED,
COMMONWEALTH BANK OF
AUSTRALIA, NATIONAL
AUSTRALIA BANK LIMITED,
JPMORGAN CHASE & CO. AND
JPMORGAN CHASE BANK, N.A.,
AND MORGAN STANLEY AND
MORGAN STANLEY
AUSTRALIA LIMITED**

WHEREAS, the Court issued orders approving the plan and form of class notice for the class action settlements in this Action with defendants Westpac Banking Corporation, Australia and New Zealand Banking Group Limited, Commonwealth Bank of Australia, National Australia Bank Limited, JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A., and Morgan Stanley and Morgan Stanley Australia Limited on February 1, 2022 (ECF Nos. 525-30) (the “February 1 Orders”); and


WHEREAS, Plaintiffs¹ proposed to combine notice of these class action settlements with the notice for the class action settlements with (1) Credit Suisse AG and Credit Suisse Group AG (“Credit Suisse”) and (2) BNP Paribas, S.A. (“BNPP”), Deutsche Bank AG (“Deutsche Bank”), Royal Bank of Canada (“RBC”), The Royal Bank of Scotland plc (n/k/a NatWest Markets plc) (“RBS”), and UBS AG (“UBS” and collectively with BNPP, Deutsche Bank, RBC, and RBS, the “Group Settling Defendants”) and seek an adjustment to the schedule provided in the February 1 Orders;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The February 1 Orders are modified to the extent described herein.

2. The Fairness Hearing will be held on ~~a date of the Court's convenience or on~~ 

November 1, 2022 at 4:00 p.m. in Courtroom 21B of this Courthouse before the undersigned, to consider the fairness, reasonableness, and adequacy of the Settlement Agreement.

3. On or before May 23, 2022 ~~or as soon as practicable,~~ the Settlement Administrator  shall cause copies of the mailed notice, in the form (without material variation) of Exhibit 3 to the Joint Declaration of Vincent Briganti and Christopher McGrath, dated April 29, 2022 (“Joint

¹ “Plaintiffs” are Richard Dennis, Orange County Employees Retirement System (“OCERS”), and any subsequently named plaintiff(s) that may be added to this Action through amended or supplemental pleadings.

Decl.”), to begin being mailed pursuant to the Class Notice plan. The foregoing initial mailing shall be completed no later than August 1, 2022.

4. On or before May 23, 2022 or ~~as soon as practicable~~, the Settlement Administrator shall begin to cause to be published a publication notice, without material variation from Exhibit 4 to the Joint Decl., pursuant to the Class Notice plan.



5. On or before August 1, 2022, the Settlement Administrator shall serve and file a sworn statement attesting to compliance with the notice provisions in the February 1 Orders.

6. On or before August 3, 2022, Representative Plaintiffs shall file with the Court a copy of the proposed Distribution Plan and Proof of Claim and Release.

7. Any statement of the objection or motion to intervene must be filed with the Court and served on Class Counsel and the respective counsel for any settling defendant no later than September 2, 2022 according to the procedure specified in the February 1 Orders.

8. Any Request for Exclusion from the Settlement by a Settlement Class Member must be sent in writing by U.S. first class mail (or, if sent from outside the U.S., by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) to the Settlement Administrator at the address in the mailed notice not later than September 2, 2022 (the “Exclusion Bar Date”).

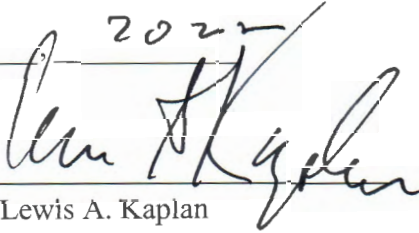
9. All Proof of Claim and Release forms shall be submitted by Settlement Class Members to the Settlement Administrator as directed in the mailed notice and must be postmarked no later than January 16, 2023.

10. Class Counsel shall file their motions for payment of attorneys’ fees and reimbursement of expenses, incentive awards, and for final approval of the Settlement no later than August 18, 2022. Any reply briefs concerning Class Counsel’s motions for payment of

attorneys' fees and reimbursement of expenses, incentive awards, and for final approval of the Settlement shall be filed no later than October 25, 2022.

11. Except as modified herein, the February 1 Orders remain in effect.

ENTERED this 11th day of May 2022


Hon. Lewis A. Kaplan
United States District Judge