

**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., BNP PARIBAS, S.A., THE ROYAL BANK OF SCOTLAND GROUP PLC, THE ROYAL BANK OF SCOTLAND PLC, RBS N.V., RBS GROUP (AUSTRALIA) PTY LIMITED, UBS AG, AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD., COMMONWEALTH BANK OF AUSTRALIA, NATIONAL AUSTRALIA BANK LIMITED, WESTPAC BANKING CORPORATION, DEUTSCHE BANK AG, HSBC HOLDINGS PLC, HSBC BANK AUSTRALIA LIMITED, LLOYDS BANKING GROUP PLC, LLOYDS BANK PLC, MACQUARIE GROUP LTD., MACQUARIE BANK LTD., ROYAL BANK OF CANADA, RBC CAPITAL MARKETS LLC, 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.

**NOTICE OF CONSOLIDATED MOTION  
FOR CONDITIONAL CLASS CERTIFICATION FOR PURPOSES OF CLASS ACTION  
SETTLEMENTS WITH MORGAN STANLEY AND MORGAN STANLEY AUSTRALIA  
LIMITED, AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD.,  
COMMONWEALTH BANK OF AUSTRALIA, AND NATIONAL AUSTRALIA BANK  
LTD.**

**PLEASE TAKE NOTICE** that, upon the accompanying memorandum of law, the Joint Declaration of Vincent Briganti and Christopher McGrath and the exhibits attached thereto, including the Stipulations and Agreements of Settlement as to Defendants Morgan Stanley and Morgan Stanley Australia Limited (“Morgan Stanley”), Australia and New Zealand Banking Group Limited (“ANZ”), Commonwealth Bank of Australia (“CBA”), and National Australia Bank Limited (“NAB”), Plaintiffs, by and through their undersigned counsel, will move this Court before the Honorable Lewis A. Kaplan, Courtroom 21B, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007 on a date and time to be set by the Court, for orders, *inter alia*: (i) conditionally certifying the Settlement Class for settlement pursuant to Fed. R. Civ. P. 23(a) and 23(b)(3) subject to later, final approval of such Settlement Class for purposes of the settlements with ANZ, CBA, NAB, and Morgan Stanley; (ii) conditionally appointing Lowey Dannenberg, P.C. and Lovell Stewart Halebian Jacobson LLP as Class Counsel for the Settlement Class with respect to the settlements with ANZ, CBA, NAB, and Morgan Stanley; (iii) conditionally appointing Plaintiffs Richard Dennis and Orange County Employees Retirement System as representatives of the Settlement Class; (iv) appointing Citibank, N.A. as Escrow Agent for purposes of the settlement funds for the settlements with ANZ, CBA, NAB, and Morgan Stanley; and (v) staying all proceedings against ANZ, CBA, NAB, and Morgan Stanley until the Court renders a decision on final approval of the proposed settlements.

Dated: December 10, 2021    **LOWEY DANNENBERG, P.C.**  
White Plains, New York

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