

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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

Plaintiff,

v.

STATE STREET BANK AND TRUST COMPANY,

Defendant.

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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,

Defendant.

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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.

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No. 12-cv-11698 MLW

**COUNSELS' JOINT MOTION FOR CLARIFICATION AND EXTENSION**

Labaton Sucharow LLP (“Labaton”), Lieff, Cabraser, Heimann & Bernstein, LLP (“Lieff”), the Thornton Law Firm, LLP (“Thornton”), Keller Rohrback, LLP, Zuckerman Spaeder LLP, McTigue Law LLP, and Hamilton Lincoln Law Institute’s Center for Class Action Fairness (collectively, “Moving Counsel”) respectfully move for clarification of this Court’s July 2, 2019 Order (ECF No. 569) (the “Order”) and, if needed, for an extension of time to submit memoranda in response to the Court’s June 28, 2019 Order (ECF No. 564). In support of this motion, Moving Counsel state as follows:

1. At the conclusion of the hearing on June 26, 2019 and as set forth in the Court’s June 28, 2019 Order (ECF No. 564), the Court ordered counsel and the Special Master to submit certain memoranda, with a simultaneous deadline of July 10, 2019.

2. On July 2, 2019, the Special Master filed a Motion for Extension of Time to Submit Memoranda (ECF No. 568), which requested “a one-week extension of the time set by the Court in its June 28, 2019 Order (Dkt. 564) to submit memoranda on the implications of the June 24, 25, and 26 hearings, currently scheduled for [July] 10, 2019.” The Court granted the motion. ECF No. 569 (“granting (568) Motion for Extension of Time to submit memoranda on the implications of the June 24, 25 and 26 hearings to July 17, 2019 in case 1:11-cv-10230-MLW”).<sup>1</sup>

3. Moving Counsel respectfully seek clarification as to whether the order extending the deadline applies to the Special Master alone, or whether it also applies to extend the deadline for all other counsel who may submit memoranda (*i.e.*, Labaton, Lieff, Thornton, ERISA Counsel, and CCAF).

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<sup>1</sup> Also on July 2, 2019, the Special Master filed an Amended Motion for Extension of Time to Submit Memoranda (ECF No. 570), which corrected an error contained in the initial version. The Court has allowed the amended motion as well. ECF No. 572.

4. If the Order applies only as to the Special Master, Moving Counsel respectfully request that the Court order a commensurate one-week extension of the submission deadline as to all counsel who may submit memoranda in response to the Court's June 28 Order, from July 10, 2019 to July 17, 2019. This extension is requested because (1) counsel have a number of other commitments this week (which includes the July 4<sup>th</sup> holiday) and the few days next week before the deadline, and (2) the requested extension will preserve the common briefing schedule and filing of all memoranda on the same deadline (which is what the Court ordered in the June 28, 2019 Order (ECF No. 564)), rather than a staggered approach that would result if the Special Master is granted an extension but other parties are not.

WHEREFORE, Moving Counsel respectfully request that the Court either (i) clarify that the extension granted in response to the Special Master's motion applies to all parties and the filing deadline for all submissions in response to the June 28, 2019 Order is July 17, 2019; or (ii) order that Moving Counsel are granted a commensurate extension, such that all submissions in response to the June 28, 2019 Order are now due July 17, 2019.

Dated: July 3, 2019

Respectfully submitted,

By: /s/ Justin J. Wolosz

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**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)**

Labaton's counsel contacted other counsel in this case in order to confer regarding the substance of this motion. The Special Master and State Street Bank and Trust Company assent to the relief requested herein.

/s/ Justin J. Wolosz  
Justin J. Wolosz

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to all counsel of record on July 3, 2019.

/s/ Justin J. Wolosz  
Justin J. Wolosz