

**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 MOTION
TO FILE DOCUMENTS *EX PARTE* AND UNDER SEAL**

Pursuant to Local Rule 7.2, the Thornton Law Firm (“TLF”) respectfully requests leave to file certain documents *ex parte* and under seal as exhibits to its Response to the Court’s June 28, 2019 Order. The exhibits are the staff attorney memo assignments and the damages presentation referenced by Michael Lesser in his recent testimony. As grounds for filing under seal, TLF states that the proposed exhibits reference and quote State Street information subject to this Court’s protective order dated November 19, 2012. (Dkt. 61). As further grounds for filing under seal, TLF states that the documents are protected from disclosure by the attorney work product doctrine. As grounds for *ex parte* filing, TLF states that the documents are protected by the attorney work product doctrine. Although class counsel and the Special Master (pursuant to Dkt. 191) could review the proposed work product exhibits, State Street’s and the Hamilton Lincoln Law Institute’s potential review of the documents necessitates *ex parte* filing.

WHEREFORE, the Thornton Law Firm respectfully requests leave to file certain documents *ex parte* and under seal as exhibits to its Response to the Court’s June 28, 2019 Order.

Respectfully submitted,

THORNTON LAW FIRM LLP

By its attorneys,

/s/ Brian T. Kelly
Brian T. Kelly (BBO No. 549566)
Joshua C. Sharp (BBO No. 681439)
NIXON PEABODY LLP
53 State Street
Boston, MA 02109
617-345-1000
bkelly@nixonpeabody.com
jsharp@nixonpeabody.com

Dated: July 16, 2019

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for all parties in an attempt to resolve or narrow the issues raised by this motion. Counsel for State Street, the Special Master, Lieff Cabraser, Zuckerman Spaeder, McTigue Law, and Keller Rohrback do not object to this motion. Counsel for the Hamilton Lincoln Law Institute does not object but reserves its rights to seek unsealing in the future. I did not receive a definitive response from counsel for Labaton by the time I filed this motion.

/s/ Joshua C. Sharp
Joshua C. Sharp

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing was filed electronically on July 16, 2019, and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing.

/s/ Joshua C. Sharp
Joshua C. Sharp