

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,	)	
		)	No. 11-cv-10230-MLW
v.		)	
		)	
STATE STREET BANK AND TRUST COMPANY,		)	
		)	
	Defendant.	)	
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		)	
ARNOLD HENRIQUEZ, MICHAEL T. COHN,		)	
WILLIAM R. TAYLOR, RICHARD A.		)	
SUTHERLAND, and those similarly situated,		)	
		)	
	Plaintiffs,	)	
		)	No. 11-cv-12049-MLW
v.		)	
		)	
STATE STREET BANK AND TRUST COMPANY,		)	
		)	
	Defendant.	)	
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		)	
THE ANDOVER COMPANIES EMPLOYEE		)	
SAVINGS AND PROFIT SHARING PLAN, on		)	
Behalf of itself, and JAMES PEHOUSHEK-		)	
STANGELAND and all others similarly situated,		)	
		)	
	Plaintiffs,	)	
		)	No. 12-cv-11698-MLW
v.		)	
		)	
STATE STREET BANK AND TRUST COMPANY,		)	
		)	
	Defendant.	)	
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**SPECIAL MASTER’S MOTION TO ENLARGE TIME TO JUNE 12, 2018 FOR FILING  
RESPONSE TO LAW FIRMS' PROPOSAL FOR CATEGORIES FOR REDACTION**

On May 31, 2018, the Court ordered counsel for the plaintiff class and for State Street to file their respective motions proposing redactions of categories of information to the Special Master's Report & Recommendations, Executive Summary, and exhibits, currently under seal. Dkt. # 237, ¶ 2. The Court ordered the Special Master to respond to these requests by June 8, 2018. *Id.*, ¶ 3. The Special Master herein moves to enlarge the time for filing his response by four (4) days, or until June 12, to accommodate undersigned counsel, who is scheduled to be on trial in Suffolk Superior Court in an unrelated matter through next week.

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

Pursuant to Local Rule 7.1, the Special Master's counsel contacted other counsel in this case in order to confer regarding the substance of this motion. Keller Rohrbach, Zuckerman Spaeder, and McTigue Law assent to this request. Lieff Cabraiser has no objection. State Street responded that it "will assent so long as [the Special Master] includes in the request that the June 11th date for the proposed redactions be pushed out 3 days after his new response date as the original order appeared to sequence the proposed redaction submissions after receipt of the Special Master's response (originally June 8th and then June 11th)." At the time of filing, counsel had not received responses from Labaton Sucharow or the Thornton Law Firm.

Dated: June 8, 2018

Respectfully submitted,

**SPECIAL MASTER HONORABLE  
GERALD E. ROSEN (RETIRED),**

By his attorneys,

/s/ William F. Sinnott  
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Elizabeth J. McEvoy (BBO #683191)  
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Email: [emcevoy@barrettsingal.com](mailto:emcevoy@barrettsingal.com)

**CERTIFICATE OF SERVICE**

I hereby certify that this Notice of Appearance was filed electronically on June 8, 2018 and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing (“NEF”). Paper copies were sent to any person identified in the NEF as a non-registered participant.

/s/ William F. Sinnott  
William F. Sinnott

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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

Plaintiff,

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,

Defendant.

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

**SPECIAL MASTER'S MOTION TO ENLARGE TIME TO JUNE 12, 2018 FOR FILING  
RESPONSE TO LAW FIRMS' PROPOSAL FOR CATEGORIES FOR REDACTION**

*This motion should have been filed before June 8, 2018, the day on which the submission had been ordered to be filed. It was the court's intention that the other parties*

*have the Master's submission before filing the documents with their prepared redactions on June 11, 2018. Although the court does not intend to otherwise alter the expert's schedule, as a party shall file any request for an extension for evidence in advance of a deposition. I will be 6/18/18*

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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

C.A. No. 11-10230-MLW

v. )

STATE STREET BANK AND TRUST COMPANY, )  
Defendants. )

ARNOLD HENRIQUEZ, MICHAEL T. )  
COHN, WILLIAM R. TAYLOR, RICHARD A. )  
SUTHERLAND, and those similarly )  
situated, )  
Plaintiff )

C.A. No. 11-12049-MLW

v. )

STATE STREET BANK AND TRUST COMPANY, )  
Defendants. )

THE ANDOVER COMPANIES EMPLOYEE )  
SAVINGS AND PROFIT SHARING PLAN, on )  
behalf of itself, and JAMES )  
PEHOUSHEK-STANGELAND and all others )  
similarly situated, )  
Plaintiff )

C.A. No. 12-11698-MLW

v. )

STATE STREET BANK AND TRUST COMPANY, )  
Defendants. )

ORDER

WOLF, D.J.

June 8, 2018

On May 31, 2018, the court ordered counsel for the plaintiff  
class, and State Street Bank and Trust Co. and State Street Global

Markets LLC (collectively, "State Street") to file motions, with supporting memoranda and affidavits, proposing redactions of categories of information from the Master's Report and Recommendation, Executive Summary, and Exhibits. The court ordered that the submissions may be made under seal, and required that a redacted version of any sealed submission be filed under seal to permit the court to decide whether and when to make the redacted version part of the public record.

On June 5, 2018, all counsel for the plaintiff class except Labaton Sucharow LLP ("Labaton") and State Street responded to the May 31, 2018 with submissions filed for the public record. Labaton filed a Motion to Redact and Retain under Seal portions of the Master's Report and Recommendation, Executive Summary, and Exhibits with a memorandum and affidavit in support (Docket Nos. 254, 254-1, 254-2 under seal) and a Motion to Redact and/or Strike Statements in the Special Master's Report with a memorandum in support (Docket Nos. 255, 255-1 under seal). State Street filed a Motion to Redact Confidential and Proprietary Information in the Special Master's Report, Executive Summary, and Exhibits (Docket No. 252 under seal). Labaton and State Street filed motions to seal or impound their submissions (Docket Nos. 251, 253).

However, Labaton did not, as ordered, file under seal redacted versions of its June 5, 2018 submissions. Therefore, on June 6,

2018, the court ordered Labaton to file redacted versions of them by June 7, 2018 at 9:00 a.m.

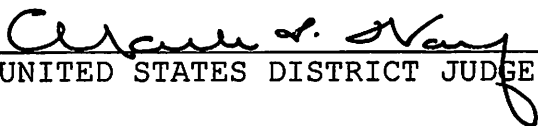
On June 6, 2018, Labaton submitted a redacted version of the memorandum and affidavit in support of its Motion to Redact and Retain under Seal (Docket Nos. 257, 257-1 under seal). It did not request redactions to the Motion itself (Docket No. 254). On June 7, 2018, Labaton timely filed redacted versions of the Motion to Impound (Docket No. 261 under seal), and its Motion to Redact and/or Strike and supporting memorandum (Docket Nos. 261-3, 261-4 under seal). It also filed a Response to the June 6, 2018 Order (Docket No. 261-1) under seal, with a redacted copy for the public record (Docket No. 261-2 under seal).

Labaton's and State Street's proposed redactions to their June 5 and 7, 2018 submissions are limited to the portions of those submissions referencing information that they assert should be redacted from the Master's Report and Recommendation, Executive Summary, and Exhibits. Therefore, the court is allowing the motions to seal or impound the redacted portions of the June 5 and 7, 2018 submissions without prejudice to reconsideration after the court decides what information, if any, should be redacted from the public version of the Report and Recommendation, Executive Summary, and Exhibits.

Accordingly, it is hereby ORDERED that:

1. Labaton Sucharow LLP's ("Labaton's") Motion to Impound its June 5 Filings (Docket No. 261 under seal), which requests that the court seal Labaton's submissions made on June 5 and 7, 2018, is ALLOWED. Docket Nos. 257, 257-1, 261, 261-2, 261-3, and 261-4, which are sealed redacted versions of Labaton's June 5 and 7, 2018 submissions (Docket Nos. 254-1, 254-2, 253, 255, 255-1, 261-1 under seal), shall be made part of the public record. Labaton's Motion to Redact and Retain under Seal (Docket No. 254) shall also be made public.

2. State Street's Motion to Seal (Docket No. 251) their June 5, 2018 submission is ALLOWED. Docket No. 251, the Motion to Seal, and Docket No. 251-1, which is a sealed redacted version of State Street's June 5, 2018 submission (Docket No. 252 under seal), shall be made part of the public record.

  
UNITED STATES DISTRICT JUDGE



**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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ARKANSAS TEACHER RETIREMENT SYSTEM, on	)	
behalf of itself and all others similarly situated,	)	No. 11-cv-10230 MLW
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
STATE STREET BANK AND TRUST COMPANY,	)	
	)	
Defendant.	)	

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ARNOLD HENRIQUEZ, MICHAEL T. COHN,	)	
WILLIAM R. TAYLOR, RICHARD A. SUTHERLAND,	)	No. 11-cv-12049 MLW
and those similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
STATE STREET BANK AND TRUST COMPANY,	)	
STATE STREET GLOBAL MARKETS, LLC and	)	
DOES 1-20,	)	
	)	
Defendants.	)	

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THE ANDOVER COMPANIES EMPLOYEE SAVINGS	)	
AND PROFIT SHARING PLAN, on behalf of itself, and	)	No. 12-cv-11698 MLW
JAMES PEHOUSHEK-STANGELAND, and all others	)	
similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
STATE STREET BANK AND TRUST COMPANY,	)	
	)	
Defendant.	)	

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**MOTION TO EXTEND THE DEADLINES SET FORTH IN THE COURT’S MAY 31, 2018  
ORDER BY THE LENGTH OF THE EXTENSION AFFORDED THE SPECIAL MASTER FOR  
RESPONDING TO LAW FIRMS’ PROPOSED CATEGORIES FOR REDACTION**

Although mindful of the Court's expressed intent not to otherwise alter the existing schedule (ECF No. 264), in response to the Special Master's June 8, 2018 Motion to Enlarge Time, State Street Bank and Trust Co. and State Street Global Markets LLC (collectively, "State Street") move to extend the remaining deadlines set forth in the Court's May 31, 2018 Order (ECF No. 237) by the length of the extension afforded the Special Master for responding to Class Counsel's and State Street's proposed categories of information for redaction in the Special Master's Report ("Report"), Executive Summary, and exhibits to the Report (collectively, "Report Materials").

As grounds for this motion, State Street states as follows:

1. On May 31, 2018, the Court set an orderly schedule requiring Class Counsel and State Street to propose categories of information for redaction in the Report Materials by June 5, 2018, requiring the Special Master to respond to those proposed categories of information for redaction by June 8, 2018, and then requiring Class Counsel and State Street to file the proposed redactions of the Report Materials with the Court by June 11, 2018. Labaton Sucharow, LLP was to then compile and file a complete set of proposed redactions by June 13, 2018.

2. As set forth in the Court's Order granting the Special Master's June 8, 2018 Motion to Enlarge Time, the sequencing of the Court's May 31, 2018 schedule ensured that Class Counsel and State Street had the benefit of knowing both the basis and strength of the Special Master's objections to the proposed categories of redactions prior to filing all proposed redactions with the Court on June 11, 2018, affording Class Counsel and State Street an opportunity, if necessary, to reconsider their proposed redactions to address the objections raised by the Special Master and potentially alleviate the burden to the Court of reviewing and deciding various disputes as to the proposed redactions.

3. Permitting the Special Master to file his objections to the proposed categories of redactions after Class Counsel and State Street file their proposed redactions with the Court deprives Class Counsel and State Street of the opportunity to consider the Special Master's objections and precludes the opportunity to potentially alleviate the burden to the Court of deciding redactions that may later be withdrawn.

4. Moreover, State Street conveyed its position to the Special Master in advance of the filing, but the Special Master did not include this request into the relief sought; instead he simply incorporated State Street's position into his Local Rule 7.1(a)(2) certification.

WHEREFORE, State Street respectfully requests that this Court enter an order extending the remaining deadlines set forth in the Court's May 31, 2018 Order by the length of the extension afforded the Special Master for responding to Class Counsel's and State Street's proposed categories of information for redaction.

Dated: June 8, 2018

Respectfully submitted,

WILMER PICKERING HALE AND DORR LLP

By /s/ William H. Paine  
William H. Paine  
Daniel W. Halston  
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email: [daniel.halston@wilmerhale.com](mailto:daniel.halston@wilmerhale.com)

*Counsel for Defendants State Street Bank  
and Trust Co. and State Street Global  
Markets LLC*

**LOCAL RULE 7.2(a)(2) CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), I hereby certify that on June 8, 2018 State Street conferred by email with Class Counsel and the Special Master regarding the resolution of this Motion. Labaton Sucharow LLP, the Thornton Law Firm LLP, Keller Rohrback LLP, and Lief Cabraser Heimann & Bernstein LLP consented to the motion. State Street did not hear from any other Class Counsel or the Special Master.

/s/ William H. Paine

William H. Paine

**CERTIFICATE OF SERVICE**

I hereby certify that, on June 8, 2018, a true and correct copy of the above document has been served by ECF on all counsel of record.

/s/ Robert K. Smith

Robert K. Smith

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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

Plaintiff,

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,

Plaintiff,

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,

Plaintiff,

v.

STATE STREET BANK AND TRUST COMPANY,

Defendant.

No. 12-cv-11698 MLW

**LABATON SUCHAROW LLP'S MOTION  
TO IMPOUND ITS MOTION TO STRIKE SUPPLEMENTAL REPORT OF  
STEPHEN GILLERS AND  
RELATED PORTIONS OF MASTER'S REPORT AND RECOMMENDATIONS,  
OR, IN THE ALTERNATIVE, TO ALLOW ADDITIONAL EXPERT DISCOVERY**

Pursuant to Fed. R. Civ. P. 7(b) and District of Massachusetts Local Rule 7.2, Labaton Sucharow LLP (“Labaton”) respectfully moves to impound its Motion to Strike Supplemental Report of Professor Stephen Gillers and Related Portions of Master’s Report and Recommendation, or, in the Alternative, to Allow Additional Expert Discovery and its supporting memorandum and declaration, which were filed today. Redacted versions of these filings are being filed herewith, per the Court’s orders. As grounds for this motion, Labaton states as follows:

1. On May 16, 2018, this Court issued an Order confirming that the Special Master’s Report and Recommendations, the related Executive Summary, and all attached exhibits (collectively, the “Master’s Submission”) are currently under seal in their entirety, and setting forth a process by which the parties may seek redactions so that a public version could be unsealed. ECF 223.

2. Labaton Sucharow LLP’s Motion to Strike Supplemental Report of Professor Stephen Gillers and Related Portions of Master’s Report and Recommendation, or, in the Alternative, to Allow Additional Expert Discovery, and Labaton’s supporting memorandum and declaration (collectively, the “Gillers Filing”), requests that the Court strike from the record the unfair and procedurally improper Supplemental Report of Professor Stephen Gillers. The Gillers Filing contains extensive discussion of the substance of Prof. Gillers’ original report (Ex. 232 to the Master’s Report and Recommendations), Prof. Gillers’ revised “supplemental” report (Ex. 233 to the Master’s Report and Recommendations), and the Master’s Report and Recommendations – all of which are currently under seal. *See, e.g.*, Labaton’s Memorandum at 1-7, 11-19 (discussing sealed materials and addressing specific substantive opinions proffered by Prof. Gillers, which are under seal). Because this information is currently under seal per this



Court's orders, and to prevent a partial release of information under seal, the un-redacted version of the Gillers Filing that contains this discussion of sealed documents should also be kept under seal at least until this Court publicly releases a redacted version of the Master's Submission. Moreover, the Declaration of Stuart M. Glass, which is part of the Gillers Filing, attaches several pages of the transcript of the March 21, 2018 Deposition of Professor Gillers. The Master did not include that transcript as an Exhibit to his Report and Recommendations. Therefore, this information is not currently under seal. However, for the same reasons the Court has ordered the Master's Report and Recommendations and attached Exhibits (which include many deposition transcripts) to be temporarily sealed while the parties evaluate the record and propose redactions, these deposition excerpts should also be temporarily sealed. Accordingly, there is good cause pursuant to D. Mass. L.R. 7.2 to impound the un-redacted version of the Gillers Filing.

3. Separately, the Gillers Filing seeks to strike and permanently seal an incorrect and inflammatory portion of Prof. Gillers' Supplemental Report and related portions of the Master's Submission, which were the result of a procedurally unfair process. *See* Labaton's Memorandum, Part III.D. In the alternative, Labaton's Motion seeks to keep this subset of information under seal until the Court rules on Labaton's objections to the Master's Report and Recommendations, which will allow the Court an opportunity to scrutinize this information before making it public. Thus, the portions of the un-redacted Gillers Filing addressing this specific request should also be kept under seal, either permanently or at least until the Court rules on Labaton's objections to the Master's Report and Recommendations. Labaton bases its request to impound these portions of the Gillers Filing (whether permanently or temporarily) on the reasons and authority set forth in the Gillers Filing, as well as other supporting authority, including: *United States v. Kravetz*, 706 F.3d 47, 59 (1st Cir. 2013) ("Though the public's right

of access is vibrant, it is not unfettered. Important countervailing interests can, in given instances, overwhelm the usual presumption and defeat access.”) (internal quotation marks omitted); *In re Auerhahn*, 650 F. Supp. 2d 107, 109 (D. Mass. 2009) (Wolf, C.J.) (ordering that accusations of professional misconduct against a federal prosecutor would remain under seal until the presiding judge made a determination whether they were supported by probable cause); and *United States v. Amodeo*, 71 F.3d 1044, 1047 (2d Cir. 1995) (reversing trial court’s unsealing of portions of a report prepared by a court officer).

4. The information described in ¶ 3, above, is a subset of the information described in ¶ 2, above. Thus, the portions of the Gillers Filing at issue in ¶ 3 also reflect information that is currently under seal, and if the Court denies Labaton’s request in ¶ 3, those portions of the un-redacted Gillers Filing should at least remain impounded until the Master’s Submission is released, for the reasons Labaton states in ¶ 2, above.

5. Labaton has filed herewith a redacted version of the Gillers Filing. Those portions of the Gillers Filing which Labaton requests that the Court impound until the release of the Master’s Submission – described in ¶ 2 – are redacted in blue. Those portions of the Gillers Filing which Labaton requests that the Court impound permanently, or at least until it rules on Labaton’s objections – described in ¶ 3 – are redacted in red.

WHEREFORE, for the reasons set forth herein, Labaton requests that: (1) the Court impound the Gillers Filing in its entirety until the Court publicly releases a version of the Master’s Submission, or, alternatively, publicly docket only the redacted version of the Gillers Filing submitted herewith until the Court publicly releases a version of the Master’s Submission; and (2) that the Court permanently impound the portions of the un-redacted Gillers Filing

described in ¶ 3, above, or at least impound them until the Court rules on Labaton's Objections to the Master's Report and Recommendations.

Dated: June 8, 2018

Respectfully submitted,

By: /s/ Justin J. Wolosz

Joan A. Lukey (BBO No. 307340)  
Justin J. Wolosz (BBO No. 643543)  
Stuart M. Glass (BBO No. 641466)  
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jwolosz@choate.com  
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Counsel for Labaton Sucharow LLP

**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 Thornton Law Firm and McTigue Law LLP consent to the relief requested. Lief Cabraser Heimann & Bernstein LLP, State Street and Counsel for the Special Master take no position on the relief requested. Keller Rohrback LLP and Zuckerman Spaeder LLP have not indicated their positions as of the time of filing.

/s/ Justin J. Wolosz  
Justin J. Wolosz

**CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2018, I caused the foregoing Labaton Sucharow LLP's Motion to Impound Its Motion to Strike the Supplemental Report of Professor Stephen Gillers, filed conventionally, to be served by electronic mail on counsel for all parties and counsel for the Special Master.

/s/ Joan A. Lukey  
Joan A. Lukey

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

---

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

Plaintiff,

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,

Plaintiff,

v.

STATE STREET BANK AND TRUST COMPANY, STATE  
STREET GLOBAL MARKETS, LLC and DOES 1-20,

Defendants.

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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,

Plaintiff,

v.

STATE STREET BANK AND TRUST COMPANY,

Defendant.

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No. 12-cv-11698 MLW

**MOTION TO IMPOUND LABATON SUCHAROW LLP'S MOTION  
CONCERNING ISSUES RAISED AT MAY 30 HEARING**

Pursuant to Fed. R. Civ. P. 7(b) and District of Massachusetts Local Rule 7.2, Labaton Sucharow LLP (“Labaton”) respectfully moves to impound Labaton Sucharow LLP’s Motion Concerning Issues Raised At May 30 Hearing (“Motion”) and the Memorandum of Law in support of Labaton Sucharow LLP’s Motion Concerning Issues Raised At May 30 Hearing (“Memorandum”). As grounds for this motion, Labaton states as follows:

1. On May 16, 2018, this Court issued an Order confirming that the Special Master’s Report and Recommendations, the related Executive Summary, and all attached exhibits (collectively, the “Master’s Submission”) are currently under seal in their entirety, and setting forth a process by which the parties may seek redactions so that a public version could be unsealed. ECF 223.

2. On May 30, 2018, the Court held a hearing in this matter. The Court has sealed two portions of the transcript from that hearing: a sidebar conference with counsel (ECF 244), and a lobby conference with counsel and the Executive Director of the Arkansas Teacher Retirement System (ECF 245).

3. The Motion and Memorandum quote, cite from and/or discuss a number of items and passages from the Master’s Submission and the sealed portions of the May 30, 2018 transcript. Accordingly, Labaton moves to seal the Motion and Memorandum for the same reasons the Court has sealed these underlying materials.

4. Labaton is filing herewith redacted versions of the Motion and Memorandum, which redact the information it understands is currently non-public and under seal.

5. Labaton has no objection to the Motion and Memorandum being unsealed once the Court has issued a public version of the Master’s Submission.

WHEREFORE, for the reasons set forth herein, Labaton respectfully requests that the Court impound the un-redacted Labaton Sucharow LLP's Motion Concerning Issues Raised At May 30 Hearing and Memorandum of Law in support of Labaton Sucharow LLP's Motion Concerning Issues Raised At May 30 Hearing.

Dated: June 8, 2018

Respectfully submitted,

By: /s/ Joan A. Lukey

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Justin J. Wolosz (BBO No. 643543)  
Stuart M. Glass (BBO No. 641466)  
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jwolosz@choate.com  
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*Counsel for Labaton Sucharow LLP*

**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. McTigue Law LLP, Lief Cabraser Heimann & Bernstein LLP, the Thornton Law Firm, Keller Rohrbach, Zuckerman Spaeder, and State Street have no objection to the motion. The Special Master has not provided his position as of the time of filing.

/s/ Joan A. Lukey

Joan A. Lukey

**CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2018, I caused a true and correct copy of the above document, filed conventionally, to be served by electronic mail on counsel for all parties and counsel for the Special Master.

*/s/ Joan A. Lukey* \_\_\_\_\_

Joan A. Lukey



UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ARKANSAS TEACHER RETIREMENT SYSTEM, )  
on behalf of itself and all others )  
similarly situated, )  
Plaintiff )  
 ) C.A. No. 11-10230-MLW  
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Defendants. )  
  
ARNOLD HENRIQUEZ, MICHAEL T. )  
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Plaintiff )  
 ) C.A. No. 12-11698-MLW  
v. )  
 )  
STATE STREET BANK AND TRUST COMPANY, )  
Defendants. )

ORDER

WOLF, D.J.

June 9, 2018

It is hereby ORDERED that, in view of the Special Master's  
June 7, 2018 "pre-filing position" on the parties' proposed

categories of redactions (Docket No. 262-1 under seal) and the importance of the June 22, 2018 hearing date, see Docket No. 237, ¶9, the Motion to Extend Deadlines (Docket No. 266) is DENIED.

  
UNITED STATES DISTRICT JUDGE