

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 21, 2018 FOR FILING
RESPONSE TO LAW FIRMS' PROPOSED REDACTIONS AND OBJECTIONS TO
UNSEALING PROPOSALS**

On May 31, 2018, the Court ordered counsel for the plaintiff class and for State Street to file under seal their proposed redactions to the Special Master's Report & Recommendations, Executive Summary, and exhibits, currently under seal, and state the reason for any objection to their submissions being unsealed. Dkt. # 237, ¶¶ 4-5. The Court ordered the Special Master to respond to these requests by June 18, 2018. *Id.*, ¶ 6. During the May 30, 2018 hearing, the Court previewed this timing sequence, but noted that it may be amenable to granting the Special Master additional time to respond if, after reviewing the proposed redactions, the Special Master found it necessary.

On June 11, 2018, counsel for the plaintiff class and for State Street each served their proposed redactions on the Special Master. A consolidated version of the redactions, compiled by Labaton, is scheduled to be served later today. The proposed redactions are voluminous and implicate over ninety different exhibits, many of which contain multiple proposed redactions, as well as numerous portions of the 377-page Report & Recommendations. To fully and adequately respond, the Special Master herein moves to enlarge the time for filing his response by three (3) days, or until June 21.

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. The Thornton Law Firm and Keller Rohrback take no position. Lieff Cabraser opposes this request. Labaton, McTigue Law, and State Street oppose this request. McTigue states that "there should also be an extension of the deadline for the reply [] and hearing date [] to maintain the sequencing." Labaton has stated that it opposes this request if the request does not "also request[], and the Court is not willing to grant, a corresponding change to the hearing date and other deadlines. We cannot adequately address the Master's Response the day after it is received." State Street joins in Labaton's objection, and adds that "[t]he Court's June 9, 2018 Order highlighted 'the importance of the June 22, 2018 hearing date' in denying State Street's requested extension. Affording the Special Master until June 21, 2018 to respond to State Street's and Class Counsel's proposed redactions would not afford State Street and Class Counsel sufficient time to meaningfully consider and respond to the Special Master's responses at the June 22, 2018 hearing." Zuckerman Spaeder does not oppose the request, but agrees that the parties should have time to evaluate the Special Master's response before the hearing.

Dated: June 13, 2018

Respectfully submitted,

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

By his attorneys,

/s/ William F. Sinnott
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CERTIFICATE OF SERVICE

I hereby certify that this Notice of Appearance was filed electronically on June 13, 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,

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

**LABATON SUCHAROW'S OPPOSITION TO THE SPECIAL MASTER'S MOTION TO
ENLARGE TIME TO JUNE 21, 2018 FOR FILING RESPONSE TO LAW FIRMS'
PROPOSED REDACTIONS AND OBJECTIONS TO UNSEALING PROPOSALS**

Labaton Sucharow LLP ("Labaton") opposes the Special Master's Motion to Enlarge
Time to June 21, 2018 for Filing Response to Law Firms' Proposed Redactions and Objections

to Unsealing Proposals (the “Motion”), inasmuch as it would not leave sufficient time and opportunity for the parties to consider and respond to the Special Master’s response. The Court’s May 31, 2018 Order (ECF 237) set forth a schedule that accommodated all parties’ submissions with respect to proposed redactions. In relevant part, it provides that:

- the parties were required to submit proposed redactions by June 11 (¶ 4);
- Labaton was ordered to submit a consolidated version of the proposed redactions by June 13 (¶ 5);
- the Master is required to respond to proposed redactions by June 18 (¶ 6);
- “[a]ny reply to the Master’s submission shall be filed . . . by June 20” (¶ 7); and
- a tentative hearing is scheduled for June 22 (¶ 9).

The Motion asks that the Special Master’s deadline be moved from June 18 to June 21. Granting the Motion as drafted would prejudice the parties both by (1) depriving them of the opportunity to reply to the Special Master’s response; and (2) leaving the parties with insufficient time following receipt of the Master’s response to prepare for the June 22 hearing.

During the conferral in advance of the Special Master’s filing of the Motion, undersigned counsel for Labaton advised counsel for the Special Master that it opposes the request for additional time unless the Special Master also requests, and the Court grants, a corresponding change to the hearing date and other deadlines. The Special Master did not include such a request in the Motion.

For all of the foregoing reasons, Labaton opposes the Motion unless the Court also orders that the parties have at least two business days after receipt of the Special Master’s response to reply, and at least two business days after that before the matter is called for a hearing.

Dated: June 14, 2018

Respectfully submitted,

By: /s/ Joan A. Lukey

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Counsel for Labaton Sucharow LLP

CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2018, I caused a true and correct copy of this 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)
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Plaintiff)
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STATE STREET BANK AND TRUST COMPANY,)
Defendants.)
ARNOLD HENRIQUEZ, MICHAEL T.)
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STATE STREET BANK AND TRUST COMPANY,)
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PEHOUSHEK-STANGELAND and all others)
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STATE STREET BANK AND TRUST COMPANY,)
Defendants.)

ORDER

WOLF, D.J.

June 15, 2018

For the reasons stated in the June 11, 2018 Memorandum and Order (Docket No. 280), and in view of Labaton Sucharow, LLP

("Labaton")'s Response to it (Docket No. 292), which states that Labaton does not object to the unsealing of the transcript of the May 30, 2018 sidebar conference or the unsealing of Labaton's Motion Concerning Issues Raised at the May 30, 2018 Hearing and the memorandum in support of it, it is hereby ORDERED that:

1. Labaton's Motion to Impound its Motion Concerning Issues Raised at the May 30 Hearing (Docket No. 274) is WITHDRAWN.

2. The transcript of the sidebar Conference held on May 30, 2018 (Docket No. 244), Labaton's Motion Concerning Issues Raised at May 30 Hearing (Docket No. 275) and the memorandum in support of it (Docket No. 276), the June 11, 2018 Memorandum and Order (Docket No. 280), and Labaton's Response (Docket No. 292) are UNSEALED.


UNITED STATES DISTRICT JUDGE