

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FUND LIQUIDATION HOLDINGS LLC, as assignee and successor-in-interest to SONTERRA CAPITAL MASTER FUND LTD., FRONTPOINT EUROPEAN FUND, L.P., FRONTPOINT FINANCIAL SERVICES FUND, L.P., FRONTPOINT HEALTHCARE FLAGSHIP ENHANCED FUND, L.P., FRONTPOINT HEALTHCARE FLAGSHIP FUND, L.P., FRONTPOINT HEALTHCARE HORIZONS FUND, L.P., FRONTPOINT FINANCIAL HORIZONS FUND, L.P., FRONTPOINT UTILITY AND ENERGY FUND L.P., HUNTER GLOBAL INVESTORS FUND I, L.P., HUNTER GLOBAL INVESTORS OFFSHORE FUND LTD., HUNTER GLOBAL INVESTORS SRI FUND LTD., HG HOLDINGS LTD., HG HOLDINGS II LTD., RICHARD DENNIS, and the CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM on behalf of themselves and all others similarly situated,

Plaintiffs,

- against -

CREDIT SUISSE GROUP AG, CREDIT SUISSE AG, JPMORGAN CHASE & CO., NATWEST MARKETS PLC, UBS AG, DEUTSCHE BANK AG, DB GROUP SERVICES UK LIMITED, TP ICAP PLC, TULLETT PREBON AMERICAS CORP., TULLETT PREBON (USA) INC., TULLETT PREBON FINANCIAL SERVICES LLC, TULLETT PREBON (EUROPE) LIMITED, COSMOREX AG, ICAP EUROPE LIMITED, ICAP SECURITIES USA LLC, NEX GROUP LIMITED, INTERCAPITAL CAPITAL MARKETS LLC, GOTTEX BROKERS SA, VELCOR SA AND JOHN DOE NOS. 1-50,

Defendants.

Docket No. 15-cv-00871
(SHS)

ORDER

MODIFYING APPROVED NOTICE PLAN AND SCHEDULED HEARING FOR FINAL APPROVAL OF SETTLEMENTS WITH JPMORGAN CHASE & CO., NATWEST MARKETS PLC (F/K/A THE ROYAL BANK OF SCOTLAND PLC), DEUTSCHE BANK AG AND DB GROUP SERVICES (UK) LTD., CREDIT SUISSE GROUP AG AND CREDIT SUISSE AG, NEX GROUP PLC, NEX INTERNATIONAL LIMITED (F/K/A ICAP PLC), ICAP CAPITAL MARKETS LLC (N/K/A INTERCAPITAL CAPITAL MARKETS LLC), ICAP SECURITIES USA LLC, AND ICAP EUROPE LIMITED

WHEREAS, the Court issued orders approving the plan and form of class notice for the class action settlements in this Action with Defendants JPMorgan Chase & Co. (“JPMorgan”); NatWest Markets Plc (f/k/a The Royal Bank of Scotland plc) (“RBS”); Deutsche Bank AG and DB Group Services (UK) Ltd. (collectively, “Deutsche Bank”); Credit Suisse Group AG and Credit Suisse AG (collectively, “Credit Suisse”); and NEX Group plc, NEX International Limited (f/k/a ICAP plc), ICAP Capital Markets LLC (n/k/a Intercapital Capital Markets LLC), ICAP Securities USA LLC, and ICAP Europe Limited (collectively, “ICAP”) (ECF Nos. 426-29, 440) (the “Orders”);

WHEREAS, on April 14, 2023, the Court adjourned the start of the notice program set forth in the Orders (ECF No. 443);

WHEREAS, Representative Plaintiffs propose to combine the notice of these class action settlements with the notice for the class action settlement with TP ICAP plc (f/k/a Tullett Prebon plc and n/k/a TP ICAP Finance plc), Tullett Prebon Americas Corp., Tullett Prebon (USA) Inc., Tullett Prebon Financial Services LLC, Tullett Prebon (Europe) Limited, Cosmorex AG, Gottex Brokers SA, and Velcor SA (together, the “Settling Brokers”) upon preliminary approval of the settlement with the Settling Brokers;

WHEREAS, the Court has preliminarily approved the settlement with the Settling Brokers; and

WHEREAS, Representative Plaintiffs, JPMorgan, RBS, Deutsche Bank, Credit Suisse, and ICAP having consented to the entry of this Order,

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Orders are modified to the extent described herein;

2. The Fairness Hearing will be held on a date of the Court's convenience or on September 27, 2023 at 10 a.m./p.m. [~~on or after September 20, 2023~~] in Courtroom 23B of this Courthouse before the undersigned, to consider the fairness, reasonableness, and adequacy of the settlements between Representative Plaintiffs and JPMorgan, RBS, Deutsche Bank, Credit Suisse, and ICAP.

3. On or before June 16, 2023, the Settlement Administrator shall cause copies of the long form notice, in the form (without material variation) of Exhibit 2 to the Declaration of Vincent Briganti, dated May 11, 2023 (ECF No. 454) ("Briganti Decl."), to begin being mailed pursuant to the Class Notice plan (ECF No. 384-3). The foregoing initial mailing shall be completed no later than July 26, 2023.

4. On or before June 16, 2023, the Settlement Administrator shall begin to cause to be published a short form notice, without material variation from Exhibit 3 to the Briganti Decl., pursuant to the Class Notice plan.

5. On or before August 9, 2023, the Settlement Administrator shall serve and file a sworn statement attesting to compliance with the notice provisions in the Orders.

6. Any statement of the objection or request to be heard must be filed with the Court and served on Class Counsel and the respective counsel for any settling defendant no later than August 23, 2023 according to the procedures specified in the Orders.

7. Discovery concerning any purported objections to the Settlement shall be completed no later than September 8, 2023. Class Counsel, Settling Brokers' counsel, and any other Persons wishing to oppose timely-filed objections in writing may do so not later than September 13, 2023.

8. Any Request for Exclusion from the Settlement by a Settlement Class Member must be sent in writing by U.S. first class mail (or, if sent from outside the U.S., by a service that provides for guaranteed delivery within five (5) or fewer calendar days of mailing) to the Settlement Administrator at the address in the long form notice and received not later than August 23, 2023 (the “Exclusion Bar Date”).

9. By August 28, 2023, the Settlement Administrator shall prepare an opt-out list identifying all Persons, if any, who submitted a timely and valid Request for Exclusion from the Settlement Class, as provided in the Settlement Agreement, and an affidavit attesting to the accuracy of the opt-out list. The Settlement Administrator shall provide counsel for the Settling Brokers and Class Counsel with copies of any Requests for Exclusion (including all documents submitted with such requests) and any written revocations of Requests for Exclusion as soon as possible after receipt by the Settlement Administrator and, in any event, within two (2) Business Day(s) after receipt by the Settlement Administrator and, in no event, later than August 28, 2023. Class Counsel shall file the opt-out list and affidavit of the Settlement Administrator attesting to the accuracy of such list with the Court.

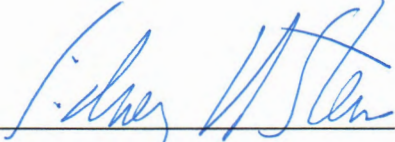
10. All Proof of Claim and Release forms shall be submitted by Settlement Class Members to the Settlement Administrator as directed in the mailed notice and must be postmarked no later than thirty (30) days after the Fairness Hearing.

11. Class Counsel shall file their motions for payment of attorneys’ fees and reimbursement of expenses, incentive awards, and for final approval of the Settlement no later than August 9, 2023; and reply papers if any shall be filed no later than September 13, 2023.

12. Except as modified herein, the Orders remain in effect.

IT IS SO ORDERED.

Signed this 16 day of May, 2023 at the Courthouse for the United States District
Court for the Southern District of New York.



The Honorable Sidney H. Stein
United States District Judge