

A CERTIFIED TRUE COPY

ATTEST

By Jakeia R. Mells on Jul 07, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

Jun 22, 2010

FILED
CLERK'S OFFICE

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

The State of New Jersey, Department of Treasury,)
Division of Investment v. Richard S. Fuld, Jr.,)
et al., D. New Jersey, C.A. No. 3:09-1629)

MDL No. 2017

CONDITIONAL TRANSFER ORDER (CTO-11)

On February 9, 2009, the Panel transferred nine civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 598 F.Supp.2d 1362 (J.P.M.L. 2009). Since that time, 16 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Lewis A. Kaplan.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Kaplan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of February 9, 2009, and, with the consent of that court, assigned to the Honorable Lewis A. Kaplan.


This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

Jul 07, 2010

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

CHAIRMAN:
John G. Heyburn II
United States District Court
Western District of Kentucky

MEMBERS:
Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Kathryn H. Vratil
United States District Court
District of Kansas

David R. Hansen
United States Court of Appeals
Eighth Circuit

W. Royal Furgeson, Jr.
United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

Barbara S. Jones
United States District Court
Southern District of New York

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888
<http://www.jpml.uscourts.gov>

July 7, 2010

Ruby J. Krakick, Clerk
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 120
New York, NY 10007-1312

Re: MDL No. 2017 -- IN RE: Lehman Brothers Holdings, Inc., Securities & Employee Retirement
Income Security Act (ERISA) Litigation

(See Attached CTO-11)

Dear Mr. Krakick:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on June 22, 2010. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 14 days to give any party an opportunity to oppose the transfer. The 14-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By



Jakeia Mellis
Case Administrator

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Lewis A. Kaplan

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

MDL No. 2017

PANEL SERVICE LIST (CTO-11)

Banca IMI S.P.A.
Piazzetta Giordano
Dell' Amore #3
Milan, Italy 20112

James V. Bashian
LAW OFFICES OF JAMES V
BASHIAN PC
500 Fifth Avenue, Suite 27000
New York, NY 10110
Jbashian@bashianlaw.com

Caja de Ahorros Y Monte
Plaza De Celenque 2
Madrid, E-28013 Spain

Michael J. Chepiga
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017-3954
mchepiga@stblaw.com

Robert J. Cleary
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036
rjcleary@proskauer.com

DZ Financial Markets, LLC
609 Fifth Avenue
New York, NY 10017-1021

Daiwa Securities SMBC
5 King William Street
London EC4N 7AX, United Kingdom

Jay W. Eisenhofer
GRANT & EISENHOFER PA
485 Lexington Avenue, 29th Floor
New York, NY 10017
jeisenhofer@gelaw.com

Scott J. Farrell
WOLF HALDENSTEIN ADLER FREEMAN
& HERZ LLP
270 Madison Avenue
New York, NY 10016
farrell@whafh.com

Seth D. Fier
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036
sfier@proskauer.com

Daniel C. Girard
GIRARD GIBBS LLP
601 California Street
Suite 1400
San Francisco, CA 94108
dgc@girardgibbs.com

Jeffrey J. Greenbaum
SILLS CUMMIS & GROSS PC
The Legal Center
One Riverfront Plaza
Newark, NJ 07102-5400
jgreenbaum@sillscummis.com

Jeffrey W. Herrmann
COHN LIFLAND PEARLMAN HERRMANN
& KNOPF LLP
Park 80 Plaza West One
Saddle Brook, NJ 07663
jwh@njlawfirm.com

Patricia Hynes
ALLEN & OVERY LLP
1221 Avenue of the Americas
New York, NY 10020
patricia.hynes@newyork.allenoverly.com

MDL No. 2017 - Panel Service List (CTO-11) (Continued)

Jackson Securities, LLC
100 Auburn Avenue., N.E.
Atlanta, GA 30303

Thomas J. Kavalier
CAHILL GORDON & REINDEL LLP
80 Pine Street
New York, NY 10005
Tkavalier@cahill.com

John Anthony Kehoe
BARROWAY TOPAZ KESSLER
MELTZER & CHECK LLP
280 King of Prussia Road
Radnor, PA 19087
jkehoe@btkmc.com

Marshall R. King
GIBSON DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
mking@gibsondunn.com

Katherine M. Lieb
SILLS CUMMIS & GROSS PC
One Rockefeller Plaza
New York, NY 10020
klieb@sillscummis.com

Mitchell A. Lowenthal
CLEARY GOTTLIEB STEEN &
HAMILTON LLP
One Liberty Plaza
New York, NY 10006
mloenthal@cgh.com

David J. McLean
LATHAM & WATKINS LLP
One Newark Center, 16th Floor
Newark, NJ 07101
david.mclean@lw.com

Mark C. Molumphy
COTCHETT PITRE & MCCARTHY
840 Malcolm Road, Suite 200
Burlingame, CA 94010
mmolumphy@cpmlegal.com

Gregory M. Nespole
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP
270 Madison Avenue
New York, NY 10016
nespole@whafh.com

James Stuart Notis
GARDY & NOTIS LLP
440 Sylvan Avenue
Suite 110
Englewood Cliffs, NJ 07632
jnotis@gardylaw.com

Randall K. Pulliam
CAULEY BOWMAN CARNEY &
WILLIAMS LLP
11311 Arcade Drive
Suite 200
Little Rock, AR 72212-5438
rpulliam@cauleybowman.com

Gerald H. Silk
BERNSTEIN LITOWITZ BERGER &
GROSSMAN LLP
1285 Avenue of the Americas, 38th Floor
New York, NY 10019
jerry@blbglaw.com

Richard A. Speirs
ZWERLING SCHACHTER &
ZWERLING LLP
41 Madison Avenue
New York, NY 10010
rspeirs@zsz.com

Audrey Strauss
FRIED FRANK HARRIS SHRIVER &
JACOBSON LLP
One New York Plaza
New York, NY 10004
audrey.strauss@friedfrank.com

Jamie Lynne Wine
LATHAM & WATKINS LLP
885 Third Avenue, Suite 1000
New York, NY 10022
jamie.wine@lw.com