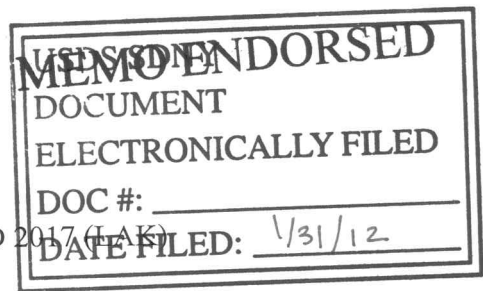


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In re:

09 MD 2017 (LAK)

LEHMAN BROTHERS SECURITIES AND
ERISA LITIGATION

ECF CASE

This Document Applies to:

*In re Lehman Brothers Mortgage-Backed
Securities Litigation, No 08-CV-6762.*

*This motion is granted to the extent
that the Court determines that
motion for class certification, approval
of notice to the class, and other relief
[B] raises a substantial question
within the meaning of FRCP 62.1(b)*

SO ORDERED

LEWIS A. KAPLAN, USDJ

1/31/12

PLEASE TAKE NOTICE that Lead Plaintiff Locals 302 and 612 of the International Union of Operating Engineers – Employers Construction Industry Retirement Trust (the “Operating Engineers” or “Lead Plaintiff”) and Additional-Named Plaintiffs New Jersey Carpenters Health Fund (the “New Jersey Carpenters”) and Named-Plaintiff Boilermakers-Blacksmith National Pension Trust (the “Boilermakers”, with Operating Engineers and New Jersey Carpenters, collectively referred to as “Plaintiffs”) and Defendants, in the action captioned *In re Lehman Brothers Mortgage-Backed Securities Litigation*, No. 08-CV-6762 (LAK) (the “Class Action”) through counsel, hereby move this Court before the Honorable Lewis A. Kaplan, for an “indicative ruling” regarding approval of the parties’ proposed Settlement in accordance with Federal Rule of Civil Procedure 62.1 and Federal Rule of Appellate Procedure 12.1. Defendants join in this Motion.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Plaintiffs and Defendants submit herewith: a Memorandum of Law in Support of their Joint Motion for an Indicative Ruling.