

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE BANK OF NEW YORK MELLON CORP.
FOREX TRANSACTIONS LITIGATION

No. 12-MD-2335 (LAK) (JLC)

THIS DOCUMENT RELATES TO:

*Southeastern Pennsylvania Transportation Authority v.
The Bank of New York Mellon Corporation, et al.*

No. 12-CV-3066 (LAK) (JLC)

*International Union of Operating Engineers, Stationary
Engineers Local 39 Pension Trust Fund v. The Bank of
New York Mellon Corporation, et al.*

No. 12-CV-3067 (LAK) (JLC)

*Ohio Police & Fire Pension Fund, et al. v. The Bank of
New York Mellon Corporation, et al.*

No. 12-CV-3470 (LAK) (JLC)

Carver, et al. v. The Bank of New York Mellon, et al.

No. 12-CV-9248 (LAK) (JLC)

Fletcher v. The Bank of New York Mellon, et al.

No. 14-CV-5496 (LAK) (JLC)

**LEAD PLAINTIFFS' NOTICE OF NON-OPPOSITION TO MOTION FOR APPROVAL
OF DISTRIBUTION PLAN FOR THE NET SETTLEMENT PROCEEDS AND
REQUEST FOR REIMBURSEMENT OF LITIGATION EXPENSE**

Lead Plaintiffs Southeastern Pennsylvania Transportation Authority, International Union of Operating Engineers, Stationary Engineers Local 39 Pension Trust Fund, Ohio Police & Fire Pension Fund, School Employees' Retirement System of Ohio, Joseph F. Deguglielmo (in his capacity as a participant in and representative of the Kodak Retirement Income Plan) and Landol D. Fletcher (in his capacity as a participant in and representative for the Central States, Southeast and Southwest Areas Pension Plan) respectfully submit this notice to inform the Court that the deadline for submitting any opposition to Lead Plaintiffs' Motion for Approval of Distribution Plan for the Net Settlement Proceeds and Request for Reimbursement of Litigation Expense (ECF No. 667, "Distribution Motion") expired on January 27, 2016 and no opposition or

objections have been received or filed. Following the filing of the Distribution Motion, Lead Settlement Counsel updated the settlement website (www.bnymellonforexsettlement.com) to inform Settlement Class Members that the Distribution Motion had been filed, and posted the Distribution Motion along with all supporting papers on the website for the Settlement Class's review. The only inquiries Lead Settlement Counsel have received since that time have been inquiries from Settlement Class Members regarding the status of the Distribution Motion and the timing of their payments.

Lead Plaintiffs respectfully request that the Court enter the [Proposed] Order Approving Distribution Plan for the Net Settlement Proceeds and Request for Reimbursement of Litigation Expense previously submitted with the Distribution Motion so that the funds may be distributed promptly to members of the Settlement Class.

Dated: February 12, 2016

Respectfully submitted,

**KESSLER TOPAZ MELTZER
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Harrell, and Landol D. Fletcher*

CERTIFICATE OF SERVICE

I hereby declare that on February 12, 2016, true and correct copy of Lead Plaintiffs' Notice of Non-Opposition to Motion for Approval of Distribution Plan for the Net Settlement Proceeds and Request for Reimbursement of Litigation Expenses was served via ECF on all counsel of record.

/s/Sharan Nirmul
Sharan Nirmul