

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ARKANSAS TEACHER RETIREMENT SYSTEM,)
on behalf of itself and all others)
similarly situated,)
Plaintiff)

v.)

) C.A. No. 11-10230-MLW

STATE STREET BANK AND TRUST COMPANY,)
Defendants.)

ARNOLD HENRIQUEZ, MICHAEL T.)
COHN, WILLIAM R. TAYLOR, RICHARD A.)
SUTHERLAND, and those similarly)
situated,)
Plaintiff)

v.)

) C.A. No. 11-12049-MLW

STATE STREET BANK AND TRUST COMPANY,)
Defendants.)

THE ANDOVER COMPANIES EMPLOYEE)
SAVINGS AND PROFIT SHARING PLAN, on)
behalf of itself, and JAMES)
PEHOUSHEK-STANGELAND and all others)
similarly situated,)
Plaintiff)

v.)

) C.A. No. 12-11698-MLW

STATE STREET BANK AND TRUST COMPANY,)
Defendants.)

MEMORANDUM AND ORDER

WOLF, D.J.

May 25, 2018

With regard to the May 24, 2018 Moving Parties' Motion to Set
Revised Schedule for Requested Redactions and the Unsealing of the

Special Master's Report and Recommendation (Docket No. 229) (the "Motion"), it is hereby ORDERED that:

1. As agreed by the parties, counsel for the Special Master shall provide the Report and Recommendations, Executive Summary, and exhibits to counsel for State Street Bank and Trust Company ("State Street") forthwith subject to the following conditions: Counsel for State Street at WilmerHale, LLP shall maintain these materials on an "attorneys' eyes only" basis, and shall not share the documents or the contents thereof with their client. The provision of these documents shall not constitute a waiver of the attorney-client privilege, work product, or any other privilege or protection.


2. The deadline for responding to the May 16, 2018 Memorandum and Order concerning proposed redactions (Docket No. 223) is extended to June 5, 2018, without prejudice to a possible further extension to June 11, 2018, as requested in the Motion.

3. A hearing on the Motion shall be held on May 30, 2018, at 2:00 p.m. Counsel for the Special Master shall attend.

In addition, George Hopkins, Executive Director of Arkansas Teacher Retirement System ("ATRS"), and anyone else required to act for ATRS in this case shall attend. The Master's Report and Recommendations (Docket No. 224 under seal), including pages 89 to 124 and 368 to 371, and Executive Summary (Docket No. 224-1 under seal), including pages 25 to 29 and 50 to 51, raise questions

concerning: whether ATRS properly discharged its duties as Lead Plaintiff, see, e.g., Garbowski v. Tokai Pharma., Inc., 2018 WL 1370522 (D. Mass. 2018) (Wolf, D.J.); whether ATRS should be replaced as Lead Plaintiff; whether there is now a conflict between the interests of Customer Class Counsel¹ and the class; and whether new class counsel should be appointed to provide independent advice to the class whether or not ATRS continues as Lead Plaintiff. Mr. Hopkins and any other representatives of ATRS shall be prepared to discuss these issues at the May 30, 2018 hearing.

4. The responses to the May 17, 2018 Order concerning Customer Class Counsel's Motion for Clarification (Docket No. 226) regarding the record to be filed by the Master shall also be addressed at the May 30, 2018 hearing.


UNITED STATES DISTRICT JUDGE

¹ Labaton Sucharow, LLP, Thornton Law Firm, and Lief, Cabraser, Heimann, and Bernstein, LLP.