

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED

DOC #:
DATE FILED: 6/21/18

IN RE: LIBOR-BASED FINANCIAL
INSTRUMENTS ANTITRUST LITIGATION

MDL No. 2262 (NRB)

THIS DOCUMENT RELATES TO:

MAYOR AND CITY COUNCIL OF
BALTIMORE, et al.,

Plaintiffs,

v.

CREDIT SUISSE AG, et al.,

Defendants.

No. 11-cv-5450 (NRB)

**ORDER APPROVING JOINT NOTICE PROGRAM FOR THE LITIGATION CLASS,
SETTLEMENT WITH DEUTSCHE BANK AKTIENGESELLSCHAFT, AND
SETTLEMENT WITH HSBC BANK PLC AND PRELIMINARILY APPROVING PLAN
OF DISTRIBUTION
IN CONNECTION WITH THE CLASS SETTLEMENTS WITH
DEUTSCHE BANK AKTIENGESELLSCHAFT AND HSBC BANK PLC**

This matter having come before the Court by way of OTC Plaintiffs' motion;
and the Court finding that the Joint Notice Program satisfies the requirements of Federal
Rule of Civil Procedure 23(c)(2)(b) and due process in that it constitutes the best notice practicable
under the circumstances;
and the Court finding that the proposed Plan of Distribution is reasonable and rational and
should be sent to class members for their review;

IT IS ORDERED that OTC Plaintiffs' motion is **GRANTED** as follows:

1. The Plan of Distribution set forth in Exhibit 1 to the Declaration of Seth Ard in Support of the Plan of Distribution in Connection with the Class Settlements with Deutsche Bank Aktiengesellschaft and HSBC Bank plc is preliminarily approved. The use of the modeling from Dr. Douglas Bernheim, as described in OTC Plaintiffs' Memorandum of Law in support of their motion and in the Plan of Distribution, is preliminarily approved only for purposes of the Plan of Distribution and not for any other purpose in this litigation.

2. Rust Consulting, Inc. ("Claims Administrator") shall cause the Long Form Notice, as revised and attached as Exhibit A to the June 20, 2018 letter from William Carmody to the Court, ECF No. 2577-1, to be disseminated to OTC Class Members for which Defendants have provided address information by July 23, 2018, via first class mail (the "Direct Notice Date").

3. The Claims Administrator shall cause the Publication Notice, Exhibit 2 to the Declaration of Shannon Wheatman in Support of the Joint Notice Program, ECF No. 2518-2, to be published one week following the Direct Notice Date, or July 30, 2018. The Publication Notice will appear for approximately four weeks.

4. The media for the Publication Notice shall include, *inter alia*: *Barron's*; *Financial Times*; *Investor's Business Daily*; *The Wall Street Journal*; *Bloomberg Businessweek*; *The Economist*; *CFO Magazine*; *Financial Advisor*; *Modern Trader*; *Investment Advisor*; *InvestmentNews*; *Pensions & Investments*; *Technical Analysis of Stocks & Commodities*; *The Bond Buyer*; *CFA Institute Financial NewsBrief*; *Traders Magazine Online News*; the *PlanSponsor* website; the *Institutional Investor* website; and the *LinkedIn* website.

5. The Claims Administrator shall post the Publication and Long Form Notices on a litigation-specific website and establish a toll-free telephone number, listed on the Long Form and Publication Notices, by the Direct Notice Date.

6. The Claims Administrator shall establish a post office box where class members can send requests for exclusion or other correspondence relating to the class notice.

7. The deadlines to object to the Deutsche Bank and HSBC Settlements, object to the request for attorneys' fees and expenses, or to request exclusion from those Settlements, will be sixty-seven days after dissemination of the Direct Notice ("Objection and Opt-Out Deadline"), or September 28, 2018.

8. The deadline to request exclusion from the Litigation Class will also be due by the Objection and Opt-Out Deadline.


9. The motion for final approval and the request for attorneys' fees and expenses with respect to the Settlements will be due three weeks before the Objection and Opt-Out Deadline, or August 24, 2018.

10. The deadlines to file reply memoranda concerning final approval, the request for attorneys' fees and expenses, or any objections thereto, shall be two weeks following the Objection and Opt Out Deadline, or October 12, 2018.

11. The Claims Administrator shall keep track of any and all objections and requests for exclusion; such information shall be furnished to the Court either in connection with the motion for final approval or, if objections and requests for exclusion are made after that motion is filed, such information shall be furnished to the Court in connection with the reply memoranda.

12. A final approval hearing will held on October 25, 2018, at 11:00 a.m.

IT IS SO ORDERED on this 21st day of June, 2018.


Hon. Naomi Reice Buchwald
UNITED STATES DISTRICT JUDGE