

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-2032**

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IN RE: UNDER ARMOUR SECURITIES LITIGATION

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ABERDEEN CITY COUNCIL, as Administrating Authority for the North East Scotland Pension Fund; BUCKS COUNTY EMPLOYEES RETIREMENT FUND, Individually and on behalf of all others similarly situated,

Plaintiffs - Appellants,

v.

UNDER ARMOUR, INCORPORATED; KEVIN A. PLANK; LAWRENCE P. MOLLOY; BYRON K. ADAMS, JR.; GEORGE W. BODENHEIMER; DOUGLAS E. COLTHARP; KAREN W. KATZ; A. B. KRONGARD; WILLIAM R. MCDERMOTT; ERIC T. OLSON; HARVEY L. SANDERS; JP MORGAN SECURITIES, LLC; MERRILL LYNCH, PIERCE, FENNER & SMITH, INCORPORATED; WELLS FARGO SECURITIES, LLC; HSBC SECURITIES (USA) INC.; PNC CAPITAL MARKETS, LLC; BB&T CAPITAL MARKETS; SUNTRUST ROBINSON HUMPHREY, INC.; CITIGROUP GLOBAL MARKETS, INCORPORATED; GOLDMAN SACHS & COMPANY, LLC; REGIONS SECURITIES, LLC; SMBC NIKKO SECURITIES AMERICA, INC,

Defendants - Appellees,

and

ANTHONY W. DEERING; BRAD DICKERSON,

Defendants.

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Appeal from the United States District Court for the District of Maryland, at Baltimore.  
Richard D. Bennett, District Judge. (1:17-cv-00388-RDB)

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Submitted: July 17, 2020

Decided: August 13, 2020

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Before WYNN, THACKER, and RUSHING, Circuit Judges.

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Remanded by unpublished per curiam opinion.

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Susan K. Alexander, Andrew S. Love, San Francisco, California, Mark Soloman, Robert R. Henssler, Jr., Christopher R. Kinnon, San Diego, California, Paul J. Geller, Jack Reise, Mark J. Dearman, ROBBINS GELLER RUDMAN & DOWD, LLP, Boca Raton, Florida, for Appellants. James D. Wareham, Washington, D.C., Samuel P. Groner, FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, LLP, New York, New York; G. Stewart Webb, Jr., Michael J. Wilson, VENABLE, LLP, Baltimore, Maryland; Catherine G. Stetson, Washington, D.C., Jon M. Talotta, HOGAN LOVELLS US LLP, Tysons, Virginia; Aitan Goelman, Washington, D.C., Adam B. Abelson, ZUCKERMAN SPAEDER LLP, Baltimore, Maryland; Amanda Flug Davidoff, SULLIVAN & CROMWELL LLP, Washington, D.C., for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Aberdeen City Council, as Administrating Authority for the North East Scotland Pension Fund, and Bucks County Employees Retirement Fund (Appellants) appeal the district court's judgment in favor of Appellees. After filing a notice of appeal, Appellants filed a motion for relief from the district court's judgment under Fed. R. Civ. P. 60(b) and a motion for an indicative judgment under Fed. R. Civ. P. 62.1. The district court granted Appellants' motion for an indicative judgment and entered an order, transmitted to this court, stating that it was inclined to grant Appellants' motion for relief from the judgment. Appellants have now moved this court to remand their case to permit the district court to consider their motion for relief from the judgment on the merits. After reviewing the parties' submissions relative to Appellants' motion to remand, we remand for the limited purpose of allowing the district court to rule on Appellants' Fed. R. Civ. P. 60(b) motion. *See* Fed. R. App. P. 12.1; *Fobian v. Storage Tech. Corp.*, 164 F.3d 887 (4th Cir. 1999). We express no opinion on the merits of the motion. We retain jurisdiction in the event the district court denies Appellants' motion, and Appellants shall immediately notify this court in writing of the district court's decision. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

*REMANDED*