1 Bingham McCutchen LLP SUŠAN L. HOFFMAN (SBN 90496) FILED CLERK, U.S. DISTRICT COURT 2 susan.hoffman@bingham.com 3 KAREN J. PAZZANI (SBN 252133) 6 2009 karen.pazzani@bingham.com 4 355 South Grand Avenue, Suite 4400 Los Angeles, CA 90071-3106 CALIFORNIA 5 Telephone: 213.680.6400 6 Facsimile: 213,680,6499 7 Bingham McCutchen LLP 8 FRANCES S. COHEN (BBO 542811) frances.cohen@bingham.com 9 JOSEPHINE DEANG (BBO 669469) josephine.deang@bingham.com 10 One Federal Street 11 Boston, MA 02110 Telephone: 617,951,8872 12 Fax: 617.951.8736 13 Attorneys for Defendant Massachusetts Financial Services 14 Company 15 UNITED STATES DISTRICT COURT 16 CENTRAL DISTRICT OF CALIFORNIA 17 18 IATSE LOCAL 33 SECTION 401(k) PLAN BOARD OF TRUSTEES, Case No. CV 08-03949 AHM 19 (SSx) 20 Plaintiff. V. 21 MICHAEL L. BULLOCK, individually 22 and doing business as INNOVATIVE EMPLOYEE BENEFITS PROGRAMS; SECURITIES AMERICA, INC.; MASSACHUSETTS FINANCIAL SERVICES COMPANY, 23 24 25 Defendants. 26 27 28

On October 27, 2008, Defendant Massachusetts Financial Services Company's ("MFS") Motion to Dismiss Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure ("Motion") was heard before the Honorable Judge Matz, Judge of the above-entitled Court, located at 312 N. Spring Street, Courtroom 14, Los Angeles, California 90012.

Good cause having been shown, the Court hereby GRANTS MFS' Motion as follows:

- Plaintiff IATSE Local 33 Section 401(k) Plan Board of Trustees' ("Plaintiff") First through Fifth causes of action against MFS are dismissed with prejudice.
- 2. Plaintiff's Sixth through Eighth causes of action against MFS are dismissed without prejudice.