

A CERTIFIED TRUE COPY
 ATTEST
 By Jakela Mells on Apr 06, 2009
 FOR THE UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

JUDGE KAPLAN
 UNITED STATES JUDICIAL PANEL
 on
 MULTIDISTRICT LITIGATION

FILED

Mar 19, 2009

FILED
 CLERK'S OFFICE

APR 17 2009

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA No. 2017

09 CIV 3478

*filed
 STB
 4/6/09*

IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
 SECURITIES & EMPLOYEE RETIREMENT
 INCOME SECURITY ACT (ERISA) LITIGATION

(SEE ATTACHED SCHEDULE)

C 09-0926 JCS

CONDITIONAL TRANSFER ORDER (CTO-3)

On February 9, 2009, the Panel transferred nine civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2009). Since that time, four additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Lewis A. Kaplan.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Kaplan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of February 9, 2009, and, with the consent of that court, assigned to the Honorable Lewis A. Kaplan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.
Apr 06, 2009
 CLERK'S OFFICE
 UNITED STATES
 JUDICIAL PANEL ON
 MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi

Jeffery N. Lüthi
 Clerk of the Panel

CLERK
 DEPUTY CLERK
 BY *[Signature]*

**IN RE: LEHMAN BROTHERS HOLDINGS, INC.,
SECURITIES & EMPLOYEE RETIREMENT
INCOME SECURITY ACT (ERISA) LITIGATION**

MDL No. 2017

SCHEDULE CTO-3 - TAG-ALONG ACTIONS

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA CENTRAL

CAC 2 09-1501

City of Long Beach v. Richard S. Fuld, Jr., et al.

CALIFORNIA EASTERN

CAE 1 09-391

County of Tuolumne v. Ernst & Young, LLP, et al.

CALIFORNIA NORTHERN

CAN 3 09-875

City of Auburn v. Richard S. Fuld, Jr., et al.

CAN 3 09-876

City of Burbank v. Richard S. Fuld, Jr., et al.

CAN 3 09-877

City of San Buenaventura v. Richard S. Fuld, Jr., et al.

6CAN 3 09-926

City of Fremont v. Citigroup Global Markets, Inc., et al.

CONNECTICUT

CT 3 09-305

Eric Taussig v. Richard S. Fuld, Jr.

UNITED STATES DISTRICT COURT
Southern District of New York
Office of the Clerk
500 Pearl Street
New York, N.Y. 10007
(212) 805-0646

J. Michael McMahon
Clerk
USDC NORTHERN DISTRICT OF CALIFORNIA

Date: 04/06/2009

In Re: LEHMAN BROTHERS
HOLDINGS, INC.
MDL 2017

Your Docket #
09 - 926

S.D. OF N.Y.
09 CV 3478

RECEIVED
APR 17 2009
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Dear Sir:

Enclosed is a certified copy of the order of the Judicial Panel on Multidistrict Litigation, transferring the above entitled action presently pending in your court, to the Southern District of New York and assigned to Judge KAPLAN for coordinated or consolidated pretrial processing pursuant to 28 USC 1407.

Please return the copy of this letter when transmitting a CERTIFIED COPY OF THE DOCKET SHEET. We will retrieve the documents using our Pacer system. Please note we DO NOT utilize the CM/ECF transfer function.

Sincerely,
J. Michael McMahon

By: PHYLLIS ADAMIK
MDL Unit
(212) 805-0646