

## United States District Court

For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re BANK OF NEW YORK MELLON  
CORPORATION FALSE CLAIMS ACT  
FOREIGN EXCHANGE LITIGATION,  
*Ex rel.* FX ANALYTICS, LOS ANGELES  
COUNTY EMPLOYEE RETIREMENT  
ASSOCIATION, LOS ANGELES  
DEPARTMENT OF WATER & POWER  
RETIREMENT PLAN, SAN DIEGO  
COUNTY EMPLOYEES RETIREMENT  
ASSOCIATION, AND STANISLAUS  
COUNTY EMPLOYEE RETIREMENT  
ASSOCIATION,

Plaintiff/Relator,

THE BANK OF NEW YORK MELLON  
CORPORATION, BANK OF NEW YORK  
MELLON TRUST COMPANY, N.A., and  
DOES 1 through 100, inclusive,

Defendants.

No. C 11-05683 WHA

**REQUEST FOR RESPONSE  
REGARDING DEFENDANTS'  
MOTION TO FILE UNDER SEAL  
CONFIDENTIAL FINANCIAL  
RECORDS AND AGREEMENTS**

Defendants Bank of New York Mellon and Bank of New York Mellon Trust Company, N.A., (collectively, "BNYM") filed an administrative motion to file under seal confidential financial records and agreements pursuant to Local Rules 7-11(a) and 79-5(c). The declaration in support of the motion indicates that the motion is made pursuant to Local Rules 7-11(a) and 79-5(d). Please inform the Court by **5 P.M., TODAY, FEBRUARY 2, 2012**, if the motion is made pursuant to Local Rule 79-5(c) or (d).

The declaration also indicates that "a stipulation has not been obtained because BNYM and plaintiffs have not yet discussed the motion [and that] BNYM will confer with plaintiffs and

1 seek to obtain a stipulation to the filing of these documents under seal, or another resolution to the  
2 confidentiality concerns” (Dkt. No. 33-1 at 3).

3 Please advise the Court by **5 P.M., TODAY, FEBRUARY 2, 2012**, if a stipulation will be filed  
4 or if another resolution has been reached such that the instant motion is moot.

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6 **IT IS SO ORDERED.**

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8 Dated: February 2, 2012.

  
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9 WILLIAM ALSUP  
10 UNITED STATES DISTRICT JUDGE  
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