

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)
 WASHTENAW COUNTY)
 EMPLOYEES' RETIREMENT)
 SYSTEM, et al.,)
)
Plaintiffs,)
)
 v.)
)
 THE TALBOTS, INC., et al.,)
)
Defendants.)
 _____)

Civil Action No. 11-10186-NMG

REPORT AND RECOMMENDATION ON
DEFENDANTS' MOTION TO DISMISS

July 3, 2013

SOROKIN, M.J.

The Plaintiffs bring this putative federal securities class action pursuant to the Securities Exchange Act of 1934 ('Exchange Act') on behalf of purchasers of the common stock of The Talbots, Inc. ('the Company') between December 8, 2009 and January 11, 2011 ('the Class Period'). Docket # 53. Currently pending is the Defendants' Motion to Dismiss the Second Amended Complaint. Docket # 56. Both the Second Amended Complaint and the briefing are extensive. Although this is the first Report and Recommendation on a dispositive motion in this case, the Parties have twice fully briefed the issue. The Report and Recommendation is lengthy for it recounts in detail the extensive allegations before proceeding to address the many arguments advanced by the Defendants. Largely due to a failure to plead sufficiently materiality,

*After consideration of lead plaintiffs' objection thereto (Docket No. 84),
 Report and Recommendation is accepted and adopted.*

SMGoston, USDJ 8/23/13