

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-10767-GAO

OPERATIVE PLASTERERS' AND CEMENT MASONS' LOCAL UNION OFFICERS' AND
EMPLOYEES' PENSION FUND,
Derivatively on Behalf of State Street Corporation,
Plaintiff,

v.

JOSEPH L. HOOLEY, EDWARD J. RESCH, RONALD E. LOGUE, CHARLES R.
LAMANTIA, KENNETT F. BURNES, ROBERT E. WEISSMAN, DAVID P. GRUBER,
RICHARD P. SERGEL, LINDA A. HILL, GREGORY L. SUMME, RONALD L. SKATES,
AMEILA C. FAWCETT, PETER COYM, PATRICK DE SAINT-AIGNAN, ROBERT S.
KAPLAN, PAMELA D. GORMLEY, MAUREEN J. MISKOVIC, TENLEY E. ALBRIGHT,
NADER F. DAREHSHORI, ARTHUR L. GOLDSTEIN, and DIANA CHAPMAN WALSH,
Defendants,

and

STATE STREET CORPORATION,
Nominal Defendant.

NOTICE PURSUANT TO RULE 62.1
August 15, 2014

O'TOOLE, D.J.

This Court dismissed this action and the plaintiff Operative Plasterers' and Cement Masons' Local Union Officers' and Employees' Pension Fund appealed. The appeal is pending. The parties have entered into a stipulation of settlement (docket entry 45), and the plaintiff has now moved for preliminary approval of the settlement pursuant to Federal Rule of Civil Procedure 23.1 (docket entry 46). The pending appeal has divested this Court of jurisdiction to act on the motion for preliminary approval (and subsequent consideration of final approval).

Pursuant to Federal Rule of Civil Procedure 62.1, I state that the present motion raises a substantial issue and that if the case were to be remanded for the purpose of considering approval

of the settlement, I would grant the preliminary motion for approval and set in motion the necessary steps to consideration of a motion for final approval of the settlement. Fed. R. Civ. P. 62.1(a)(3).

The plaintiff is directed to bring this notice to the attention of the clerk of the Court of Appeals pursuant to Federal Rule of Appellate Procedure 12.1.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge