

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW,	:	Master File No.:
STATE LAW and INSURANCE	:	08 Civ. 11117 (TPG)
LITIGATION	:	
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This Document Relates To:	:	ECF CASE
INSURANCE ACTION, 09-Civ-557	:	Electronically Filed
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**THE TREMONT DEFENDANTS' RESPONSE TO PLAINTIFFS'
MOTION FOR CERTIFICATION OF THE SETTLEMENT CLASS,
AND FINAL APPROVAL OF THE PARTIAL SETTLEMENT**

Defendants Tremont (Bermuda) Limited, Tremont Partners, Inc., Tremont Group Holdings, Inc., Rye Investment Management, Tremont Capital Management and Robert Schulman (collectively, the "Tremont Defendants") respectfully submit this response to Plaintiffs' Motion for Certification of the Settlement Class, and Final Approval of the Partial Settlement (the "Motion").

The Tremont Defendants do not concede that the standards for class certification have been or could be satisfied in this case. Nevertheless, as non-settling defendants, they do not oppose the Motion. The settling defendants stand in a different relationship with the proposed class than the non-settling defendants. Accordingly, certification of the proposed class for purposes of settling the claims against the settling defendants does not bear on the question of whether a class should be certified as to the claims to be litigated against the non-settling defendants. The Tremont Defendants reserve their right to oppose any motion for class certification made with respect to any claims that remain

in this action after approval of the proposed partial settlement.

Dated: New York, New York
December 21, 2009

Respectfully submitted,

/s/ Seth Schwartz

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