

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

YALE M. FISHMAN 1998 INSURANCE  
TRUST,

Plaintiff,

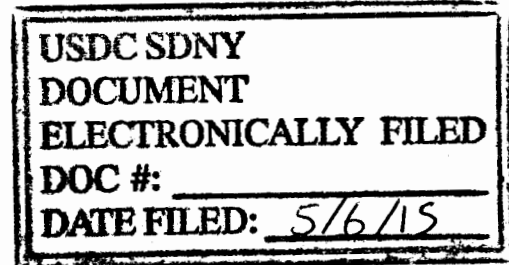
v.

PHILADELPHIA FINANCIAL LIFE  
ASSURANCE COMPANY F/K/A AGL  
LIFE ASSURANCE COMPANY, et al.,

Defendants.

11 Civ. 1283

**OPINION**

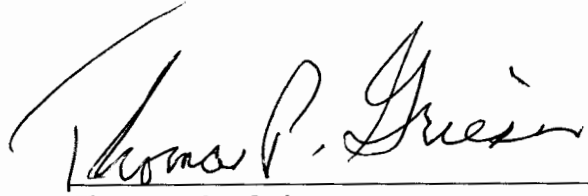


A motion to dismiss plaintiff's complaint is pending before the court. During the pendency of the motion, the Second Circuit and the Supreme Court have issued several important decisions concerning the application of the Securities Litigation Uniform Standards Act of 1998 (SLUSA), Pub. L. No. 105-353, § 101, 112 Stat. 3227 (1998). Supplemental briefing is ordered to ensure that the court has heard the parties' positions on the law as it now stands.

The parties are instructed to file simultaneous briefs setting forth their positions on the application of SLUSA to the claims in this case, with particular attention to In re Kingate Management Ltd. Litigation, No. 11-cv-1397 (2d Cir. Apr. 23, 2015). All briefing should be completed by May 29, 2015.

So ordered.

Dated: New York, New York  
May 6, 2015

A handwritten signature in cursive script, reading "Thomas P. Griesa". The signature is written in black ink and is positioned above a horizontal line.

Thomas P. Griesa  
United States District Judge