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November 22, 2024

VIA ECF

The Honorable Naomi Reice Buchwald
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *In re LIBOR-Based Financial Instruments Antitrust Litigation*
Case No. 11-md-2262

Dear Judge Buchwald:

Pursuant to Section 2.H.2 of Your Honor's Individual Practices, Section 6 of the Electronic Case Filing Rules & Instructions, and Your Honor's September 27, 2024 Order (ECF No. 4136), I write to respectfully request permission to file under seal: (1) OTC Plaintiffs'¹ and certain Direct Action Plaintiffs'² (together, "Plaintiffs") memorandum of law, Local Rule 56.1 statements, declaration, and exhibits submitted in opposition to Defendants' Joint Motion for Summary Judgment (ECF No. 4164); (2) DAPs' memorandum of law, declaration, and exhibits submitted in support of Plaintiffs' Opposition to Defendants' Motion to Exclude the Opinions and Testimony of Dr. Leslie Marx (ECF No. 4147); (3) Plaintiffs' memorandum of law, declaration, and exhibits submitted in support of Plaintiffs' Opposition to

¹ Mayor and City Council of Baltimore, City of New Britain, Jennie Stuart Medical Center, Inc., Vistra Energy Corp., and Yale University.

² The Federal Home Loan Mortgage Corporation, The Federal Deposit Insurance Corporation as Receiver for 20 Closed Banks, The Federal National Mortgage Association, Principal Funds, Inc., and Principal Financial Group, Inc.

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Defendants' Joint Motion to Exclude the Opinions and Testimony of Dr. Karl Snow and Dr. B. Douglas Bernheim (ECF No. 4151); and (4) OTC Plaintiffs' memorandum of law, declaration, and exhibits submitted in support of OTC Plaintiffs' Opposition to OTC Defendants' Motion to Exclude the Testimony of Plaintiffs' Proposed Expert Dr. Michael I. Cragg (ECF No. 4158).

These filings include materials that have been designated as Confidential or Highly Confidential pursuant to the Amended Stipulation and Protective Order dated May 12, 2016 (ECF No. 1405). Consistent with Your Honor's September 27, 2024, Order (ECF No. 4136), by December 6, 2024, OTC Plaintiffs will file a public set of all materials submitted in connection with these motions.

Plaintiffs are delivering courtesy copies of the sealed filings to Chambers in accordance with Section 2.H.2 of Your Honor's Individual Practices and are also serving the sealed filings on liaison counsel for Defendants via email. With the Court's permission, audio files and other files produced in this action in native format, which support Plaintiffs' opposition papers, are being delivered to Chambers via flash drive.

Respectfully Submitted,

/s/ William Christopher Carmody

William Christopher Carmody

SUSMAN GODFREY L.L.P.

Co-Lead Counsel for OTC Plaintiffs and Liaison Counsel for Class Plaintiffs

Cc: All counsel via ECF

Application granted. **So ordered.**



NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE

Dated: November 22, 2024

New York, New York