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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LARRY W. JANDER, RICHARD J. WAKSMAN,
and all other individuals similarly situated,

Plaintiffs,

-against-

RETIREMENT PLANS COMMITTEE OF IBM,
RICHARD CARROLL, MARTIN SCHROETER,
and ROBERT WEBER,

Defendants.

1:15-cv-3781 (MKV)

ORDER

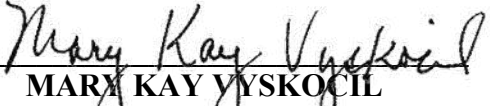MARY KAY VYSKOCIL, United States District Judge:

On July 22, 2021, Judge McMahon entered an order approving a settlement of all claims in this this matter. [ECF No. 135]. The Settlement had been preliminary approved by the Honorable William H. Pauley, III on April 28, 2021, [ECF No. 118], who had presided over the case since its filing. Thereafter, by Orders dated January 6, 2022 and February 24, 2022, Judge McMahon approved two disbursements of proceeds pursuant to the Settlement. [ECF Nos. 141, 143] (the "Settlement Disbursement Orders").

On July 13, 2022, Plaintiffs Richard Waksman and Larry Jander sought approval to deposit unclaimed settlement funds pursuant to the Settlement plan. [ECF No. 144] (the "Deposit Letter"). On July 14, 2022, Judge McMahon issued a Notice to Counsel [ECF No. 145] advising that shortly prior to the date she entered the two Settlement Disbursements Orders, her husband had purchased stock in IBM. Pursuant to that Notice, Judge McMahon recused herself from the matter, and referred the Deposit Letter to the newly-assigned judge who would preside over the case. Thereafter, this matter was assigned to this Court.

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Accordingly, IT IS HEREBY ORDERED, that any party wishing to be heard on the Recusal Notice filed by Judge McMahon, including specifically with respect to the Settlement Disbursement Orders, shall file a letter not to exceed three pages on or before 4:00pm on July 25, 2022. IT IS FURTHER ORDERED that any party wishing to be heard on the Deposit Letter shall file a letter not to exceed three pages on or before 4:00pm on July 25, 2022.

SO ORDERED.

Date: July 18, 2022
      New York, NY

                                                _____
                                               MARY KAY VYSKOCIL
                                            United States District Judge