

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Stuart Krohnengold, Wayne Antoine, Lee Webber, Anthony Medici, Joseph Bendrihem, Larry Gilbert, Rafael Musni, Thomas Lantz, Sandra Scanni, and Claudia Gonzalez, as representatives of a class of similarly situated persons, and on behalf of the New York Life Insurance Employee Progress Sharing Investment Plan, and the New York Life Insurance Company Agents Progress Sharing Plan,

Case No. 1:21-cv-01778 - JMF

Plaintiffs,

v.

New York Life Insurance Company; the Fiduciary Investment Committee; the Board of Trustees; Katherine O'Brien; Anthony R. Malloy; Yie-Hsin Hung; Arthur A. Seter; Scott L. Lenz; Robert J. Hynes; and John and Jane Does 1-20,

Defendants.

**PLAINTIFFS' CONSENT MOTION TO SUBSTITUTE PARTY FOR PLAINTIFF
STUART KROHNENGOLD**

Plaintiffs, by and through undersigned counsel, hereby move pursuant to Federal Rule of Civil Procedure 25(a)(1) to substitute Amy Laurence for deceased Plaintiff Stuart Krohnengold.

In support of this motion, Plaintiffs state as follows:

1. Plaintiff Stuart Krohnengold (Mr. Krohnengold) passed away on January 11, 2024.
2. Proposed substitute Plaintiff Amy Laurence (Ms. Laurence) is Mr. Krohnengold's wife, and the beneficiary of his account in the New York Life Insurance Employee Progress Sharing Investment Plan.

3. Ms. Laurence wishes to serve as a substitute party for her husband, and has retained undersigned counsel for that purpose. Ms. Laurence has acknowledged her duties as a class representative in this action and has signed a Duties of Class Representative form similar to the one previously signed by Mr. Krohnengold. *See* ECF 119-1.

4. Where a party dies and the claim is not extinguished (as here), the Federal Rules of Civil Procedure allow for the substitution of a proper party within 90 days after service of a statement noting the death. *See* Fed. R. Civ. P. 25(a)(1).

5. Defendants do not oppose the substitution of Ms. Laurence for Mr. Krohnengold, and confirm her status as the surviving beneficiary of Mr. Krohnengold's account.

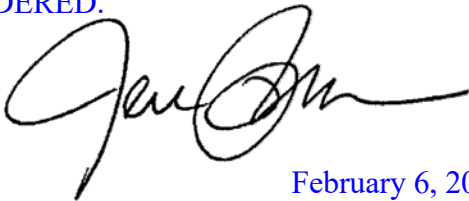
WHEREFORE, Plaintiffs respectfully request that the Court approve the substitution of Amy Laurence for Stuart Krohnengold.

Dated: February 5, 2024

Respectfully submitted,

Application GRANTED. The Court expresses its condolences to Ms. Laurence on the passing of Mr. Krohnengold. The Clerk of Court is directed to update the docket and to terminate ECF No. 172.

SO ORDERED.



February 6, 2024

/s/ Kai Richter

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