

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

IN RE: THE BANK OF NEW YORK
MELLON ADR FX LITIGATION

16-CV-00212-JPO-JLC

This Document Relates to:

ALL ACTIONS

ORDER AMENDING JUNE 17, 2019 ORDER AND FINAL JUDGMENT

WHEREAS, on June 17, 2019, the Court entered its Order and Final Judgment (ECF No. 162) (“Judgment”) approving the settlement of the above-captioned action as set forth in the Stipulation and Agreement of Settlement dated January 15, 2019 (ECF No. 147-2) (“Stipulation”);

WHEREAS, unless otherwise defined in this Order, the capitalized terms used herein shall have the same meanings as they have in the Stipulation;

WHEREAS, as detailed in the Declaration of Lance Cavallo filed with the Court on September 16, 2019 (“Cavallo Declaration”), the Claims Administrator for the Settlement has identified an additional ten (10) timely requests for exclusion from the Settlement Class (“Omitted Timely Exclusion Requests”);

WHEREAS, Lead Plaintiffs have moved this Court for the entry of an order amending Exhibit 1 to the Judgment (i.e., the List of Persons and Entities Excluded from the Settlement Class Pursuant to Request) to include the Omitted Timely Exclusion Requests; and

WHEREAS, Defendant does not oppose Lead Plaintiffs’ motion.

NOW THEREFORE, IT IS HEREBY ORDERED:

1. Exhibit 1 to the Judgment (ECF No. 162) is hereby amended to include the Omitted Timely Exclusion Requests as listed on Exhibit A hereto.

2. In accordance with ¶ 9 of the Judgment, the persons and entities listed on Exhibit A hereto are excluded from the Settlement Class pursuant to request and are not bound by the terms of the Stipulation or the Judgment.

SO ORDERED.

Dated: September 17, 2019
New York, New York



J. PAUL OETKEN
United States District Judge

EXHIBIT A

Omitted Timely Exclusion Requests

1. Joseph N. Carinci, TR
Damascus, MD
2. Lois Jeanne Carinci, TR
Damascus, MD
3. Ella Ann Cochran TR UA 8/21/91
Zephyrhills, FL
4. John Fischer & Judith Fischer Jt TEN
Medford, NY
5. Diane H. Halasz
Easton, PA
6. John Halasz
Easton, PA
7. Cynthia J. Lehr & Jayne T. Lehr Jt TEN
Tequesta, FL
8. Cynthia J. Lehr TR UA 3/12/2014
Cynthia J. Lehr Rev Trust
Tequesta, FL
9. Russell J. Petronzio
Bee Cave, TX
10. Wilson W. Powers
Knoxville, TN