

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

IN RE BANK OF AMERICA CORP.
SECURITIES, DERIVATIVE, AND
EMPLOYEE RETIREMENT INCOME
SECURITY ACT (ERISA) LITIGATION

Master File No. 09 MDL 2058 (PKC)

ECF CASE

THIS DOCUMENT RELATES TO:

Consolidated Securities Action

**NOTICE OF LEAD PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order Preliminarily Approving Proposed Settlement and Providing for Notice dated December 4, 2012, and upon (i) the Joint Declaration of Steven B. Singer, Frederic S. Fox, and David Kessler in Support of (A) Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation and (B) Co-Lead Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses; (ii) the Memorandum of Law in Support of Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation; and (iii) all other papers and proceedings herein, Lead Plaintiffs, the State Teachers Retirement System of Ohio; the Ohio Public Employees Retirement System; the Teacher Retirement System of Texas; Stichting Pensioenfond's Zorg en Welzijn, represented by PGGM Vermogensbeheer B.V.; and Fjärde AP-Fonden, on behalf of themselves and the Class, will and do hereby move this Court, before the Honorable P. Kevin Castel, on April 5, 2013 at 2:00 p.m. in Courtroom 12C of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street,

New York, New York, or at such other location and time as set by the Court, for entry of a Judgment approving the Settlement as fair, reasonable and adequate and for entry of an Order approving the proposed Plan of Allocation as fair, reasonable and adequate.

Dated: February 19, 2013

Respectfully submitted,

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