

**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 MD 2058 (PKC)

ECF CASE

This Document Relates To:

Consolidated Securities Action

**NOTICE OF LEAD PLAINTIFFS' MOTION  
FOR APPROVAL OF RECOMMENDATIONS REGARDING  
POST-DISTRIBUTION ISSUES AND MODIFICATION OF  
DISTRIBUTION ORDER TO ALLOW THE ACCEPTANCE OF LATE CLAIMS**

**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Stephen J. Cirami in Support of Lead Plaintiffs' Motion for Approval of Recommendations Regarding Post-Distribution Issues and Modification of Distribution Order to Allow the Acceptance of Late Claims (the "Cirami Post-Distribution Issues Declaration")<sup>1</sup>, submitted on behalf of the Court-appointed Claims Administrator, Garden City Group, LLC ("GCG")<sup>2</sup>, and the Memorandum in Support of Lead Plaintiffs' Motion for Approval of Recommendations Regarding Post-Distribution Issues and Modification of Distribution Order to Allow the Acceptance of Late Claims, Lead Plaintiffs, the State Teachers Retirement System of Ohio; the Ohio Public Employees Retirement System; the Teacher Retirement System of Texas; Stichting Pensioenfonds Zorg en Welzijn, represented by PGGM Vermogensbeheer B.V.; and Fjärde AP-Fonden, will move this Court, before the Honorable

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<sup>1</sup> All terms with initial capitalization not otherwise defined herein shall have the meanings ascribed to them in the Cirami Post-Distribution Issues Declaration, in the Declaration of Stephen J. Cirami in Support of Lead Plaintiffs' Motion for Approval of Distribution Plan (ECF No. 1001), or in the Stipulation and Agreement of Settlement dated November 30, 2012 (ECF No. 767-1).

<sup>2</sup> GCG was formerly known as The Garden City Group, Inc.

P. Kevin Castel, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, for entry of the accompanying [Proposed] Order Regarding Post-Distribution Issues and Modification of Distribution Order to Allow the Acceptance of Late Claims, which will, *inter alia*: (i) approve GCG's administrative recommendations with respect to adjustments to be made to calculations of Claims that were covered by the Distribution Order; (ii) approve GCG's administrative recommendations with respect to Late Cures of Claims that were covered by the Distribution Order; (iii) approve GCG's administrative recommendations with respect to Alleged Submissions; (iv) defer the ruling on Unresolved Calculation Disputes so as not to delay payments or additional payments to Authorized Claimants as set forth in the proposed Order; (v) provide for the modification of the Distribution Order to allow the acceptance of Late Claims as that term is defined in the Cirami Post-Distribution Issues Declaration; and (vi) provide that the Court retains jurisdiction to consider any further applications concerning the administration of the Settlement, and such other and further relief as the Court deems appropriate.

The [Proposed] Order Regarding Post-Distribution Issues and Modification of Distribution Order to Allow the Acceptance of Late Claims is attached hereto as Exhibit A.

Dated: November 14, 2016

Respectfully submitted,

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