

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

New Jersey Carpenters Health Fund, *et al.*,

Plaintiffs,

v.

Residential Capital, LLC, *et al.*,

Defendants.

No. 08-cv-8781 (KPF)

**LEAD PLAINTIFF'S NOTICE OF UNOPPOSED
MOTION FOR (I) CERTIFICATION OF THE UNDERWRITER CLASS FOR
PURPOSES OF SETTLEMENT, (II) PRELIMINARY APPROVAL OF THE
UNDERWRITER SETTLEMENT; (III) APPROVAL OF NOTICE TO THE
UNDERWRITER AND RESCAP CLASSES AND (IV) SCHEDULING OF FINAL
SETTLEMENT APPROVAL HEARING**

PLEASE TAKE NOTICE that, Lead Plaintiff, New Jersey Carpenters Health Fund, on behalf of itself and the Settlement Class, in the above-captioned action, through counsel, hereby moves this Court before the Honorable Katherine Polk Failla, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure for: (i) certification of the Underwriter Class for purposes of settlement; (ii) preliminary approval of the Underwriter Settlement; (iii) approval of notice to the Underwriter and ResCap Classes and (iv) the scheduling of a hearing (“Final Settlement Approval Hearing”) on final approval of the Underwriter Settlement, the Plan of Allocation, and Lead Counsel’s motion for an award of attorneys’ fees and reimbursement of litigation expenses. Defendants will not oppose this motion.

Dated: New York, New York
February 13, 2015

Respectfully submitted,

**COHEN MILSTEIN SELLERS
& TOLL PLLC**

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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2015, I caused the foregoing notice of motion to be electronically filed with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel.

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