# SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

ERIE COUNTY EMPLOYEES' RETIREMENTSYSTEM, Individually and on Behalf of AllOthers Similarly Situated,	) Index No. 656462/2019
	) (Borrok, J.)
Plaintiff,	) Part 53
VS.	) Motion Sequence No. 6
NN, INC., RICHARD D. HOLDER, THOMAS C. BURWELL, JR., ROBERT E. BRUNNER, WILLIAM DRIES, DAVID K. FLOYD, DAVID L. PUGH, STEVEN T. WARSHAW, J.P. MORGAN SECURITIES LLC, ROBERT W. BAIRD & CO. INCORPORATED, KEYBANC CAPITAL MARKETS INC., SUNTRUST ROBINSON HUMPHREY, INC., LAKE STREET CAPITAL MARKETS, LLC, STEPHENS INC., WILLIAM BLAIR & COMPANY, L.L.C., CJS SECURITIES, INC., and REGIONS SECURITIES LLC,	) ) ) ) ) ) )
Defendants.	)

### NOTICE OF MOTION FOR FINAL APPROVAL OF THE SETTLEMENT AND PLAN OF ALLOCATION AND AWARD OF ATTORNEYS' FEES AND EXPENSES TO PLAINTIFF'S COUNSEL AND SERVICE AWARD TO PLAINTIFF

### TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE, that upon the annexed Affirmation of Deborah Clark-Weintraub, dated November 1, 2022, and the exhibits annexed thereto, the accompanying Memorandum of Law in support, and upon all prior pleadings and proceedings had herein, Plaintiff Erie County Employees' Retirement System ("Erie County" or "Plaintiff") will move this Court at the Motion Submission Part at the Courthouse located at 60 Centre Street, Room 130, New York, New York, on December 1, 2022, at 2:00 p.m., or as soon thereafter as the matter may be heard, for an order pursuant to New York Civil Practice Law and Rules Article 9: (i) granting final approval of the proposed \$9,500,000 settlement (the "Settlement") of this securities class action (the "Action"); (ii) granting approval of the proposed Plan of Allocation; (iii) awarding attorneys' fees and expenses to Plaintiff's Counsel; and (iv) granting a service award to Plaintiff for its work in representing the Settlement Class.

Per the schedule ordered by the Court in the Order Preliminarily Approving Settlement and Providing for Notice (NYSCEF No. 119) dated September 1, 2022, any objections or requests for exclusion must be filed by November 15, 2022, with Plaintiff's reply due by November 23, 2022.

Dated: November 1, 2022

#### SCOTT+SCOTT ATTORNEYS AT LAW LLP

<u>/s/ Deborah Clark-Weintraub</u> Deborah Clark-Weintraub Jeffrey P. Jacobson The Helmsley Building 230 Park Avenue, 17th Floor New York, NY 10169 Telephone: 212/223-6444 Facsimile: 212/223-6334 (fax) dweintraub@scott-scott.com jjacobson@scott-scott.com

Counsel for Plaintiff Erie County Employees' Retirement System

1

## **CERTIFICATE OF SERVICE**

I hereby certify that on November 1, 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

<u>/s/ Deborah Clark-Weintraub</u> Deborah Clark-Weintraub