

1 LABATON SUCHAROW LLP
2 JOEL H. BERNSTEIN
3 *jbernstein@labaton.com*
4 JONATHAN M. PLASSE
5 *jplasse@labaton.com*
6 IRA A. SCHOCHET
7 *ischochet@labaton.com*
8 DAVID J. GOLDSMITH
9 *dgoldsmith@labaton.com*
10 MICHAEL H. ROGERS
11 *mrogers@labaton.com*
12 JOSHUA L. CROWELL
13 *jcrowell@labaton.com*
14 140 Broadway
15 New York, New York 10005
16 Telephone: (212) 907-0700
17 Facsimile: (212) 818-0477

18 *Lead Counsel for Lead*
19 *Plaintiffs New York Funds*

20 [Additional counsel listed on signature page]

21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA
23 WESTERN DIVISION

24 IN RE COUNTRYWIDE FINANCIAL
25 CORPORATION SECURITIES
26 LITIGATION

27 This Document Applies to: All Actions

28 Lead Case No.
CV 07-05295 MRP (MANx)

**NOTICE OF MOTION OF
PLAINTIFFS FOR FINAL
APPROVAL OF PROPOSED
SETTLEMENT AND PLAN
OF ALLOCATION OF
NET SETTLEMENT FUND**

Date: November 15, 2010
Time: 1:00 p.m.
Courtroom: 12
Judge: Hon. Mariana R. Pfaelzer

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that, on November 15, 2010, at 1:00 p.m. or as
3 soon thereafter as counsel may be heard, Lead Plaintiffs Thomas P. DiNapoli,
4 Comptroller of the State of New York, as Administrative Head of the New York
5 State and Local Retirement Systems and as sole Trustee of the New York State
6 Common Retirement Fund, Lead Plaintiffs New York City Employees' Retirement
7 System, New York City Police Pension Fund, New York City Fire Department
8 Pension Fund, New York City Board of Education Retirement System, and
9 Teachers' Retirement System of the City of New York, and Plaintiff Barry Brahn,
10 on behalf of the Class (collectively, "Plaintiffs") will move this Court before the
11 Honorable Mariana R. Pfaelzer, United States District Judge, at the United States
12 Courthouse, 312 North Spring Street, Courtroom 12, Los Angeles, California
13 90012, for an Order, pursuant to Rule 23(e) of the Federal Rules of Civil
14 Procedure, granting final approval to the proposed Settlement of this action,
15 approving the Plan of Allocation of the Net Settlement Fund, dismissing this action
16 with prejudice and on the merits, and granting related relief.

17 This motion is premised on the accompanying Plaintiffs' Memorandum of
18 Points and Authorities in Support of Motion for Final Approval of Proposed
19 Settlement and Plan of Allocation of Net Settlement Fund; the accompanying
20 Declaration of Joel H. Bernstein in Support of Plaintiffs' Motion for Final
21 Approval of Settlement and Plan of Allocation of Net Settlement Fund and Lead
22 Counsel's Petition for an Award of Attorney's Fees and Reimbursement of
23 Expenses, and certain exhibits thereto; the accompanying Declaration of Frank C.
24 Torchio for Settlement Purposes, with exhibits and appendix; the accompanying
25 Declaration of Thomas R. Glenn of Rust Consulting, Inc. Regarding Notice to the
26 Class, with exhibits; this Court's Order Granting Preliminary Approval to
27 Settlement and Directing Dissemination of Notice to the Class, dated August 2,
28

1 2010; the Amended Stipulation and Agreement of Settlement, with exhibits, dated
2 as of June 29, 2010; and all prior papers and proceedings in this action.

3 A proposed Final Judgment and Order of Dismissal With Prejudice and
4 proposed Order Approving Plan of Allocation of Net Settlement Fund are
5 submitted herewith.

6
7 Dated: October 11, 2010

Respectfully submitted,

8 LABATON SUCHAROW LLP

9 By: /s/ Joel H. Bernstein

10 JOEL H. BERNSTEIN
11 JONATHAN M. PLASSE
12 IRA A. SCHOCHET
13 DAVID J. GOLDSMITH
14 MICHAEL H. ROGERS
15 JOSHUA L. CROWELL

16 *Lead Counsel for Lead*
17 *Plaintiffs New York Funds*

18 KREINDLER & KREINDLER LLP
19 GRETCHEN M. NELSON (#112566)
20 *gnelson@kreindler.com*
21 707 Wilshire Boulevard, Suite 4100
22 Los Angeles, California 90017
23 Telephone: (213) 622-6469
24 Facsimile: (213) 622-6019

25 HENNIGAN, BENNETT
26 & DORMAN LLP
27 J. MICHAEL HENNIGAN (#59591)
28 *hennigan@hbdlawyers.com*
KIRK D. DILLMAN (#110486)
dillmank@hbdlawyers.com
MICHAEL SWARTZ (#163590)
swartzm@hbdlawyers.com
865 South Figueroa Street, Suite 2900
Los Angeles, California 90017
Telephone: (213) 694-1200
Facsimile: (213) 694-1234

Liaison Counsel for Lead
Plaintiffs New York Funds

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

KAPLAN FOX & KILSHEIMER LLP
JOEL B. STRAUSS
jstrauss@kaplanfox.com
JEFFREY P. CAMPISI
jcampisi@kaplanfox.com
850 Third Avenue
New York, New York 10022
Telephone: (212) 687-1980
Facsimile: (212) 687-7714

Attorneys for Plaintiff
Barry Brahn