

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

29 This Document Applies to: All Actions

30 **NOTICE OF PETITION**
31 **OF LEAD COUNSEL FOR**
32 **LEAD PLAINTIFFS FOR AN**
33 **AWARD OF ATTORNEY'S**
34 **FEEES AND REIMBURSEMENT**
35 **OF EXPENSES**

36 Date: November 15, 2010
37 Time: 1:00 p.m.
38 Courtroom: 12
39 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, Labaton Sucharow LLP, Court-appointed
4 Lead Counsel for Lead Plaintiff Thomas P. DiNapoli, Comptroller of the State of
5 New York, as Administrative Head of the New York State and Local Retirement
6 Systems and as sole Trustee of the New York State Common Retirement Fund, and
7 Lead Plaintiffs New York City Employees' Retirement System, New York City
8 Police Pension Fund, New York City Fire Department Pension Fund, New York
9 City Board of Education Retirement System, and Teachers' Retirement System of
10 the City of New York, will petition this Court on behalf of all Plaintiffs' Counsel
11 before the Honorable Mariana R. Pfaelzer, United States District Judge, at the
12 United States Courthouse, 312 North Spring Street, Courtroom 12, Los Angeles,
13 California 90012, for an Order, pursuant to Rules 23(h) and 54(d)(2) of the Federal
14 Rules of Civil Procedure, (i) awarding attorney's fees of \$47,372,000.00, or
15 approximately 7.59% of the Settlement Amount, with interest; and (ii) granting
16 reimbursement of expenses in the total amount of \$8,080,517.87, with interest on
17 the amount of expenses actually paid as of September 15, 2010, all to be paid out
18 of the Gross Settlement Fund in this action.

19 This motion is premised on the accompanying Memorandum of Points and
20 Authorities in Support of Lead Counsel's Petition for an Award of Attorney's Fees
21 and Reimbursement of Expenses; the accompanying Declaration of Joel H.
22 Bernstein in Support of Plaintiffs' Motion for Final Approval of Settlement and
23 Plan of Allocation of Net Settlement Fund and Lead Counsel's Petition for an
24 Award of Attorney's Fees and Reimbursement of Expenses, and certain exhibits
25 thereto; the accompanying Declaration of Michael H. Diamond in Support of Lead
26 Counsel's Request for Attorneys' Fees and Expenses, with exhibits; and the
27 accompanying Compendium of Individual Declarations Submitted in Support of
28

1 Lead Counsel's Petition for an Award of Attorney's Fees and Reimbursement of
2 Expenses; this Court's Order Granting Preliminary Approval to Settlement and
3 Directing Dissemination of Notice to the Class, dated August 2, 2010; the
4 Amended Stipulation and Agreement of Settlement, with exhibits, dated as of June
5 29, 2010; and all prior papers and proceedings in this action.

6 A proposed Order Awarding Attorney's Fees and Expenses to Lead Counsel
7 is submitted herewith.

8
9 Dated: October 11, 2010

Respectfully submitted,

10 LABATON SUCHAROW LLP

11 By: /s/ Joel H. Bernstein

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

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

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

27 HENNIGAN, BENNETT
28 & DORMAN LLP
J. MICHAEL HENNIGAN (#59591)
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