

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE LIBOR-BASED FINANCIAL  
INSTRUMENTS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

The OTC Action

No. 1:11-md-2262-NRB

**[PROPOSED] ORDER APPROVING OTC PLAINTIFFS' NOTICE PLAN FOR SETTLEMENT WITH DEFENDANTS COÖPERATIEVE RABOBANK U.A., LLOYDS BANKING GROUP PLC, LLOYDS BANK PLC, HBOS PLC, BANK OF SCOTLAND PLC, ROYAL BANK OF CANADA, PORTIGON AG, AND WESTDEUTSCHE IMMOBILIEN SERVICING AG AND APPOINTING A CLAIMS ADMINISTRATOR AND ESCROW AGENT**

This matter having come before the Court by way of OTC Plaintiffs' Motion for an Order Approving Notice Plan for Settlement with Defendants Coöperatieve Centrale Raiffeisen-Boerenleenbank B.A. (n/k/a Coöperatieve Rabobank U.A.) ("Rabobank"), Lloyds Banking Group plc, Lloyds Bank plc, HBOS plc, and Bank of Scotland plc (together, "Lloyds"), Royal Bank of Canada ("RBC"), and WestLB AG (n/k/a Portigon AG) and Westdeutsche Immobilienbank AG (n/k/a Westdeutsche Immobilien Servicing AG) and Appointing a Claims Administrator and Escrow Agent;

and the Court finding that the proposed Notice Plan satisfies the requirements of Federal Rule of Civil Procedure 23(c)(2)(B) and due process in that it constitutes the best notice practicable under the circumstances, that the proposed Proof of Claim will elicit sufficient information to assess OTC Class Members' claims, and that OTC Plaintiffs' proposed Claims Administrator and Escrow Agent are qualified to serve in those roles;

IT IS on this 18<sup>th</sup> day of August, 2023;

**ORDERED** that OTC Plaintiffs' Motion for an Order Approving Notice Plan for Settlement with Defendants Rabobank, Lloyds, RBC, and Portigon and Appointing a Claims Administrator and Escrow Agent is **GRANTED** as follows:

1. The Court appoints Angeion Group, LLC as the Claims Administrator.

2. The Court appoints Huntington Bank as the Escrow Agent.

3. The Claims Administrator shall cause the Long Form Notice, attached as Exhibit B to the Declaration of Steven Weisbrot, to be disseminated to OTC Class Members in accordance with the Notice Plan within 45 days following the entry of this Order (the "Long Form Notice Date").

4. The Claims Administrator shall cause the Publication Notice, attached as Exhibit C to the Declaration of Steven Weisbrot, to be published in accordance with the Notice Plan beginning one week following the Long Form Notice Date. The Publication Notice will appear for approximately four weeks.

5. The Claims Administrator shall post the Long Form Notice, Publication Notice, and Proof of Claim, attached as Exhibit D to the Declaration of Steven Weisbrot, on a litigation specific website and maintain a toll-free telephone number, in accordance with the Notice Plan, by the Long Form Notice Date.

6. The Claims Administrator shall establish a post office box, in accordance with the Notice Plan, where OTC Class Members can send requests for exclusion or other correspondence, by the Long Form Notice Date.

7. The Claims Administrator shall implement the remaining provisions of the Notice Plan, such as the dissemination of a press release concerning the Settlement, by the Long Form Notice Date.

8. OTC Plaintiffs' motion for final approval of the Settlement and motion for an award of attorneys' fees, reimbursement of expenses, and service awards will be due six weeks after the Long Form Notice Date.

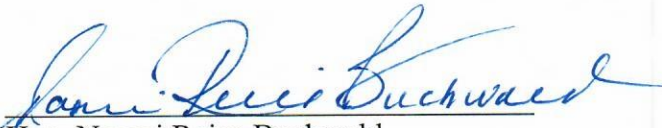
9. The deadlines to object to the settlement, object to the request for attorneys' fees, expenses, and service awards, or to request exclusion from the Settlement, will be nine weeks after the Long Form Notice Date (the "Objection and Opt Out Deadline").

10. The deadlines to file reply memoranda in further support of OTC Plaintiffs' motion for final approval of the Settlement and motion for an award of attorneys' fees, reimbursement of expenses, and service awards, if necessary, will be one week after the Objection and Opt Out Deadline.

11. The Claims Administrator shall keep track of any and all requests for exclusion; such information shall be furnished to the Court either in connection with the final approval briefing or, if requests for exclusion are made after that brief is filed, such information shall be furnished to the Court in connection with the reply briefing.

12. A final approval hearing shall be set for <sup>December 12</sup> ~~November 27~~, 2023 at 11:00 am, or such other time as is convenient to the Court, but no earlier than one week after the deadline for reply memoranda in support of OTC Plaintiffs' motion for final approval and motion for an award of attorneys' fees, reimbursement of expenses, and service awards. MKB

13. The Claims Submission deadline shall be sixty days after the final approval hearing.

  
Hon. Naomi Reice Buchwald  
**UNITED STATES DISTRICT JUDGE**