

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	20 Civ. 5914 (PAE)
<i>In re Morgan Stanley Data Security Litigation</i>	:	
	:	<u>ORDER</u>
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PAUL A. ENGELMAYER, District Judge:

A hearing on plaintiffs’ application for approval of the proposed settlement in this case, preliminary approval of which was given by the Hon. Analisa Torres on January 18, 2022, Dkt. 82, is scheduled for August 5, 2022, at 9:30 a.m. in courtroom 1305 of Thurgood Marshall United States Courthouse.

This order addresses the process by which the Court will hear from objectors at that hearing.

The Court’s intention is to hear from objectors at the outset of the hearing. The Court will first hear from telephonic objectors. The Court will then hear from objectors present in person in court. There will not be a later opportunity in the hearing for objectors to be heard.

Given the potential number of objectors, each objector is directed to keep his or her remarks to two (2) minutes in length. To the extent that an objector who intends to participate at the hearing—telephonically or in person—has made a written submission to the Court, the Court has read these submissions. The Court requests that the objector not use his or her allotted time to read aloud the prior submission.

**Telephonic objectors:** The Court has authorized objectors to be heard telephonically, *see* Dkt. 110, while setting a deadline of July 22, 2022 to notify the Court of an intention by an

objector to participate telephonically, *id.* The following seven objectors have timely notified the Court of their intent to speak telephonically at the hearing:

1. William J. Borucki
2. Tim Corey
3. Lori S. Feistner
4. Steven Helfand
5. Richard Anthony Kritner
6. Lester L. Levy
7. John Oronato

The Court intends to hear from each of these telephonic objectors in the above sequence. Such objectors are to dial in the phone number below 15 minutes before the August 5 hearing, *i.e.*, by 9:15 am. The Court's staff will take the roll of these objectors, and will confirm that each of the above objectors is on the telephone line. For avoidance of doubt, persons who did not timely note their intention to telephonically object, or who are not present on the phone line when the Court's deputy takes the roll, will not be allowed to participate.

**In-person objectors:** The Court has received notice from three additional *pro se* objectors of their intention to participate in person at the hearing: Steven Helfand, Mark F. Lewis, and David Sack. In-person objectors are to be present in courtroom 1305 by 9:15 am on August 5.<sup>1</sup> The Court intends to hear from the in-person objectors in alphabetic sequence, and

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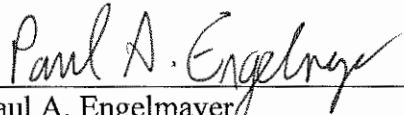
<sup>1</sup> In person attendees should take into account that it can take time to clear security to enter the courthouse. In-person attendees are also to familiarize themselves, and to comply, with this District's COVID-19 protocols governing access to the courthouse. These are available at <https://www.nysd.uscourts.gov/covid-19-coronavirus>.

thereafter to hear from counsel for objector Robina Frank, the one objector who has appeared through counsel.

Telephonic objectors and interested members of the public who wish to audit the hearing should call into the Court's dedicated conference line at (888) 363-4749, and enter Access Code 468-4906, followed by the pound (#) key.

Class counsel are directed to post a copy of this order on <https://www.morganstanleydatasecuritysettlement.com/>, and to forward a copy of this order to any objecting class members named in this order individually if contact information is available.

SO ORDERED.

  
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Paul A. Engelmayer  
United States District Judge

Dated: July 28, 2022  
New York, New York