

QUARTERLY SECURITIES LITIGATION UPDATE

City of Marietta/BLW Defined Benefit
Pension Plan

QUARTER ENDING
MARCH 31, 2023

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INTRODUCTION

The following is an update of the portfolio monitoring services provided by Kessler Topaz Meltzer & Check, LLP ("Kessler Topaz") for the City of Marietta/BLW Defined Benefit Pension Plan ("the City of Marietta"). The report includes securities class action information for securities relevant to the City of Marietta's portfolio.

Depending on the securities relevant to the City of Marietta's portfolio and the services contracted with Kessler Topaz, the report may contain sections for monetary and non-monetary settled litigation, and new and ongoing litigation for both U.S. and Non-U.S. litigation. Information regarding the City of Marietta's financial interest during the Class Period provided for new litigation may vary from information previously reported by Kessler Topaz if the Class Period has changed or additional transaction records have since become available.

If you have any questions regarding this report, please contact Darren J. Check, Esq. at (610) 822-2235 or dcheck@ktmc.com.



SETTLED LITIGATION (MONETARY RECOVERY)

Based on an analysis of the transactions provided to Kessler Topaz, the City of Marietta is eligible to file proofs of claim in the following securities class action settlements that have been announced this Quarter.

Please be advised that meeting the eligibility requirements to file a claim does not guarantee that the claim will qualify to receive a recovery under the court-approved plan of allocation.

Please contact the City of Marietta's designated claims filer (such as its Custodian or third-party filing service) for any questions regarding the status of these claims.

Settlement	Claims Deadline	Class Period	Settlement Amount
MOHAWK INDUSTRIES, INC. (2020)	07/05/2023	04/28/2017 - 07/25/2019	\$60,000,000

The transaction period made available to Kessler Topaz spans approximately April 2009 forward.



SETTLED LITIGATION (ANTITRUST)

Below is a list of Antitrust Litigation that has settled this quarter. Because the securities involved in these settlements do not have standard identifiers for searching and our records do not contain the level of detail needed for these claims, Kessler Topaz is unable to advise whether the City of Marietta is eligible to file claims in these settlements.

However, if you wish to file claims, Kessler Topaz can provide information to aid the City of Marietta in gathering detailed information from its money managers. Once the City of Marietta obtains transaction information, Kessler Topaz can assist in the filing of these claims upon request. Please contact Darren J. Check, Esq. at (610) 822-2235 or dcheck@ktmc.com for more information.

CHICAGO BOARD OF TRADE (WHEAT FUTURES OR OPTIONS) (2018)

Claims Deadline	07/10/2023
Settlement Amount	\$18,000,000

CLASS DEFINITION

This settlement includes all persons and entities who transacted in Trade Wheat Futures or Options on the Chicago Board of Trade (“CBOT”) between February 1, 2015 and May 15, 2015

A copy of the settlement notice, proof of claim form, and additional information may be found at: <https://www.2015cbotwheatfuturesclassactionsettlement.com/>



NEW U.S. LITIGATION

Below is a list of the U.S. securities litigation filed during the past quarter where the City of Marietta has suffered a loss on its Class Period investments or, for cases involving mergers and acquisitions, has held shares at the relevant times.

Litigation	Lead Plaintiff Deadline	Class Period/ Class Definition	Losses/ Shares
ALPHABET INCORPORATED (2023)	05/15/2023	02/04/2020 - 01/23/2023	\$5,217
ATLASSIAN CORPORATION (2023)	04/04/2023	08/05/2022 - 11/03/2022	\$84,657
DISH NETWORK CORPORATION (2023)	05/22/2023	02/22/2021 - 02/27/2023	\$55,088
FIDELITY NATIONAL INFORMATION SERVICES INCORPORATED (2023)	05/05/2023	02/09/2021 - 02/10/2023	\$35,763
GLOBAL PAYMENTS INC. (2023)	04/10/2023	10/31/2019 - 10/18/2022	\$28,738
INTERNATIONAL BUSINESS MACHINES CORPORATION (2023)	03/14/2023	01/18/2018 - 10/16/2018	\$16,953
SIGNATURE BANK (2023)	05/15/2023	04/23/2020 - 03/12/2023	\$5,254



ONGOING U.S. LITIGATION

The following list of ongoing litigation contains status updates for the past quarter, including recent settlements and dismissals. If there has been no new activity for this litigation during the quarter, the most recent status update is listed.

Alphabet, Inc. (2018)

Order granting Motion to supplement the consolidated amended complaint and striking Motion to Certify Class entered February 28, 2023. Case is in Discovery.

Avalara, Inc. (2022)

Initial complaint filed November 4, 2022. Motions to appoint lead plaintiff and approve selection of counsel filed January 6, 2023. Order appointing lead plaintiff and partially approving selection of counsel entered February 3, 2023. Amended Complaint filed March 6, 2023.

Biogen Inc. (2022)

Order granting Motion to Dismiss entered March 29, 2023.

Boston Scientific Corporation (2020)

Answer to Amended Complaint filed January 20, 2023. Case is in Discovery.

Chicago Bridge & Iron Company N.V. (2017)

Motions for Final Approval of Settlement and Award of Attorneys' Fees were filed on June 27, 2022. Final Judgment entered on August 2, 2022. Order awarding attorneys' fees and expenses entered on August 5, 2022.

Citigroup Inc. (2020)

Order granting Motion to Dismiss entered March 24, 2023, with leave to amend the complaint.

Facebook, Inc. (n/k/a Meta Platforms, Inc.) (SEC)

Order Granting Motion to Approve Distribution Plan entered April 26, 2022.

General Electric Company (2017)

Motions for Summary Judgment, filed September 6, 2022, is fully briefed and pending.

Grupo Televisa, S.A.B. (2018)

Motion for Preliminary Approval of Settlement filed February 28, 2023.

Intel Corporation (2020)

Motion to Dismiss is fully briefed and taken under submission as of August 4, 2021.

Maiden Holdings, Ltd. (2019)

Case is in Discovery.

Mallinckrodt PLC (2017)

Orders granting Plaintiffs' Motion for Final Approval of Settlement and Plan of Allocation and Attorneys' Fees and Expenses and Final Judgment entered August 2, 2022.

Mohawk Industries, Inc. (2020)

Motion for Preliminary Approval of Class Action Settlement, filed January 20, 2023, granted on February 3, 2023.

Netflix, Inc. (2022) (Expanded Class Period)

Motion to Dismiss, filed February 10, 2023, is pending.



Newell Brands, Inc. (New Jersey Superior Court)

Order granting motions for final approval of settlement and award of attorneys' fees (filed on January 16, 2023) granted February 10, 2023.

Oracle Corporation (2018)

Orders approving settlement, plan of allocation, and awarding attorneys' fees entered January 13, 2023.

Patterson Companies, Inc. (2018)

Motions for Final Approval of Settlement and Award of Attorneys' Fees and Expenses filed May 5, 2022. Orders Approving Settlement and Awarding Attorneys' Fees and Expenses entered on June 10, 2022. Judgment entered on June 13, 2022.

Philip Morris International Inc. (2017)

Case is on appeal. Oral argument heard on February 8, 2023.

Teva Pharmaceutical Industries Limited (2020)

Motion to Certify Class, filed September 13, 2022, is fully briefed as of February 17, 2023, and pending.

Teva Pharmaceutical Industries Ltd. (2016)

Motions for Final Approval of Settlement and Award of Attorneys' Fees and Expenses filed April 28, 2022. Order Approving Settlement and Awarding Attorneys' Fees and Final Judgment entered on June 2, 2022.

The Goldman Sachs Group, Inc. (2018)

Motion for Leave to File Third Amended Complaint, filed January 13, 2023, is fully briefed and pending. Expert Discovery is stayed and the Motion to Certify Class is held in abeyance pending ruling on the motion to amend.

Wells Fargo & Company (2018)

Motion for Preliminary Approval of Settlement filed February 7, 2023.

Wells Fargo & Company (2020)

Appeal voluntarily dismissed on January 11, 2023.

Wells Fargo & Company (2020) (S.D.N.Y.)

Motion to Certify Class filed October 3, 2022. Case is in Discovery.

Zendesk, Inc. (2019)

Oral Argument on February 7, 2022. Memorandum of judgment entered and affirmed on March 2, 2022.

