

**Labaton
Sucharow**

Jay L. Himes
Partner
212 907 0834 direct
212 883 7501 fax
jhimes@labaton.com

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VIA ECF

Honorable Gregory H. Woods
United States District Court
for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, New York 10007

Re: *In re Platinum & Palladium Antitrust Litig.*, No. 1:14-cv-09391-GHW (S.D.N.Y.)

Dear Judge Woods:

With the firm of Berger & Montague, P.C., we are interim co-lead class counsel in this litigation. We write to provide the Court with additional authority relevant to Defendants' pending motions to dismiss Plaintiffs' Second Consolidated Amended Class Action Complaint, which are sub judice. *See generally* ECF Nos. 113-121 (all filed Sept. 21, 2015).

I attach as Exhibit A Judge Furman's Opinion and Order in *Alaska Electrical Pension Fund v. Bank of America Corp.*, ECF No. 209, 14-CV-7126 (JMF) (filed Mar.28, 2016). In that case, plaintiffs "allege a scheme to manipulate U.S. Dollar ISDAfix ("ISDAfix"), which is a benchmark interest rate incorporated into a broad range of financial derivatives." Ex. A, Opinion and Order at 1. Denying Defendants' motion to dismiss Plaintiffs' federal antitrust claims, the Court held that:

- (1) Plaintiffs had pleaded a legally sufficient antitrust claim (*id.* at 9-13); and
- (2) Plaintiffs had standing to sue, in that that they sustained antitrust injury (*id.* at 13-19), and were efficient antitrust enforcers (*id.* at 21-22).

Respectfully submitted,

BERGER & MONTAGUE, P.C.

LABATON SUCHAROW LLP

By /s/ Merrill G. Davidoff

By /s/ Jay L. Himes

Enclosure

cc: All counsel (via ECF)