

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL WACHALA, MARY BETH
PREUSS, PATRICIA WALSH, SADE
ADENEYE, MIKE BICKLE, AND
JACQUELINE GOUGH, individually and as
representatives of classes of participants and
beneficiaries on behalf of the Astellas US
Retirement and Savings Plan,

Plaintiffs,

v.

ASTELLAS US LLC, THE BOARD OF
DIRECTORS OF ASTELLAS US LLC, THE
ASTELLAS RETIREMENT PLAN
ADMINISTRATIVE COMMITTEE, AON
HEWITT INVESTMENT CONSULTING,
INC. (NKA AON INVESTMENTS USA,
INC.), AND JOHN DOES 1–14,

Defendants.

Civil Action No. 1:20-cv-03882

Honorable Ronald A. Guzman

CLASS ACTION

**JOINT NOTICE OF SETTLEMENT IN PRINCIPLE
AND MOTION FOR STAY OF PENDING DEADLINES**

All parties jointly notify this Court that they have reached an agreement in principle to settle all of the claims in this case. In order to prepare and finalize the necessary class-wide settlement filings and requests for approval, which the parties submit will be filed no later than June 9, 2023, the parties respectfully request that this Court stay all pending deadlines in the litigation, adjourn the pretrial conference currently scheduled for July 11, 2023, and adjourn the bench trial currently scheduled for July 17, 2023. In support of this notice and motion, the parties state the following:

1. On May 3, 2022, the Court entered an Order requiring the parties to file the pretrial order by May 22, 2023, scheduling the pretrial conference for July 11, 2023, and setting a July 17, 2023 trial date. ECF No. 190.

2. The parties have engaged in settlement discussions to resolve all claims and potential appellate rights, among other items. The parties have now reached an agreement in principle on all salient terms of a settlement to fully and finally resolve all claims.

3. In order to present this settlement for this Court's approval, several items need to be prepared and several tasks need to be performed. Those items and tasks include, but are not limited to, the following:

- a. Drafting of a final settlement agreement for this Court's approval;
- b. Drafting of current and former participant notices for this Court's approval;
- c. Motion and memorandum for preliminary approval of settlement, which will reflect a proposed amended class definition for settlement purposes only; and
- d. Retention of a settlement administrator to perform the necessary settlement tasks and deliver notice to class members if this Court grants preliminary approval to the settlement.

4. In order to prepare and finalize the necessary settlement documentation and requests for approval, the parties respectfully request that the Court stay all pending deadlines in the litigation, adjourn the pretrial conference, and adjourn the July 17, 2023 trial setting. The parties anticipate submitting the settlement-related filings no later than June 9, 2023.

For the foregoing reasons, the parties respectfully request that they be given until June 9, 2023 to file all necessary settlement documentation and requests for approval, that the Court stay all pending deadlines, and that the July 11, 2023 pretrial conference and July 17, 2023 trial setting be adjourned.

Dated: May 5, 2023

Respectfully Submitted,

/s/ Troy Doles (with consent)

Jerome J. Schlichter
Michael A. Wolff
Troy A. Doles
Heather Lea
Sean E. Soyars
Kurt C. Struckhoff
SCHLICHTER BOGARD & DENTON LLP
100 South Fourth Street, Suite 1200
St. Louis, MO, 63102
(314) 621-6115
(314) 621-5934 (fax)
jschlichter@uselaws.com
mwolff@uselaws.com
tdoles@uselaws.com
hlea@uselaws.com
ssoyars@uselaws.com
kstruckhoff@uselaws.com

Lead Counsel for Plaintiffs

Luke DeGrand
DeGrand & Wolfe, P.C.
20 South Clark Street
Suite 2620
Chicago, IL 60603
(312) 236-9200
ldegrand@degrandwolfe.com

Local Counsel for Plaintiffs

/s/ Jeremy Blumenfeld (with consent)

Christopher J. Boran
Matthew A. Russell
Samuel D. Block
Christopher B. Dempsey
MORGAN, LEWIS & BOCKIUS LLP
110 North Wacker Drive
Chicago, IL 60606
(312) 324-1000
christopher.boran@morganlewis.com
matthew.russell@morganlewis.com
samuel.block@morganlewis.com
chris.dempsey@morganlewis.com

Jeremy Blumenfeld
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
(215) 963-5000
jeremy.blumenfeld@morganlewis.com

Counsel for Astellas Defendants

/s/ Shannon Barrett

Brian D. Boyle
Shannon M. Barrett
O'MELVENY & MYERS LLP
1625 Eye Street, N.W.
Washington, DC 20006-4001
(202) 383-5300
bboyle@omm.com
sbarrett@omm.com

Stuart M. Sarnoff
William Pollak
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036
Telephone: (212) 326-2000
ssarnoff@omm.com
wpollak@omm.com

John R. Landis
FOLEY & LARDNER LLP
321 North Clark Street, Suite 3000
Chicago, IL 60654-4762
Tel: (312) 832-4539

*Attorneys for Aon Hewitt Investment
Consulting Inc. (NKA Aon Investments USA,
Inc.)*

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 5, 2023.

/s/ Shannon Barrett
Shannon M. Barrett