

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

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<b>IN RE SUNTRUST BANKS, INC.</b>	)	<b>CIVIL ACTION FILE</b>
<b>401(k) PLAN AFFILIATED</b>	)	<b>NO. 1:11-CV-784-ODE</b>
<b>FUNDS ERISA LITIGATION</b>	)	
_____	)	

**JOINT MOTION FOR REFERRAL TO MEDIATION AND STAY OF  
PROCEEDINGS PENDING MEDIATION**

Plaintiffs and Defendants, by and through their respective counsel (together, the “Parties”), jointly move under Local Rule 16.7 for entry of an order referring this case to mediation before Robert A. Meyer, Esq. of JAMS and for a stay of all proceedings to permit the Parties to pursue the resolution of this dispute, including at the mediation conference tentatively scheduled with Mr. Meyer on January 7, 2020 (subject to this Court’s approval).

In support of this Joint Motion, the Parties state as follows:

1. On October 3, 2019 the Court granted in part and denied in part Defendants’ motion for summary judgment and directed the Parties to file a proposed consolidated pretrial order by November 4, 2019. (Dkt. No. 278 at 91).

2. The Parties filed a Joint motion to extend the deadline for filing a consolidated pretrial order on October 18, 2019. (Dkt. No. 280). On October 23, 2019, the Court extended the deadline to November 30, 2019. (Dkt. No. 281).

3. On October 30, 2019, Plaintiffs filed a motion for partial reconsideration of the Court's order on Defendants' motion for summary judgment. (Dkt. No. 282). Under the Local Rules, Defendants' response to the motion for reconsideration is due on November 13, 2019.

4. This case is currently on the Court's civil trial calendar commencing on January 6, 2020. (Dkt. No. 279).

5. Following the Court's ruling on Defendants' motion for summary judgment, the Parties have engaged in direct, good-faith discussions regarding the possible resolution of this case without need for trial, in accordance with Local Rules 16.3 and 16.4.

6. The Parties have agreed to continue their efforts to resolve this case with the assistance of a highly qualified and experienced neutral third-party mediator.

7. Specifically, the Parties have agreed upon Robert A. Meyer, Esq. of JAMS as a mediator. Mr. Meyer's biography, including his qualifications, experience mediating complex litigation (including ERISA class actions), and

other credentials is available at <http://www.jamsadr.com/meyer/>. Subject to the Court's appointment of Mr. Meyer, the Parties have scheduled an in-person mediation conference with him for January 7, 2020, the earliest date on which Mr. Meyer, the Parties, and their counsel are all available.

8. Accordingly, the Parties respectfully request that the Court refer this case to mediation and appoint Robert A. Meyer as neutral third-party mediator. The Parties further respectfully request that the Court stay all proceedings and deadlines in this case pending mediation before Mr. Meyer and remove the case from the Court's January 6, 2020 trial calendar. The parties will report to the Court on the status of the January 7 mediation and the case no later than January 31, 2020. In the report, the Parties anticipate stating either (i) that a settlement agreement has been reached and proposing deadlines for subsequent filings seeking Court approval of the proposed settlement, or (ii) that no settlement agreement could be reached and proposing deadlines that will enable the Parties to move promptly to trial, including deadlines for remaining briefing on Plaintiffs' motion for reconsideration and submission of a joint consolidated pretrial order.

9. A Proposed Order granting the relief requested in this Joint Motion is attached as Exhibit A.

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