

**IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE WHEATON FRANCISCAN
ERISA LITIGATION

Case No. 16-cv-04232

Honorable Gary Feinerman

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE MEMORANDUM IN
SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT
AGREEMENT EXCEEDING THE PAGE LIMITATION**

Plaintiffs Bruce Bowen, Cheryl Mueller, and Diann Curtis (“Named Plaintiffs”), by and through their attorneys, respectfully move for leave to file a Memorandum in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of the Settlement Agreement (“Memorandum”) that exceeds the 15-page limit, in accordance with Local Rule 7.1. Plaintiffs submit the following in support:

1. Plaintiffs filed this action under the Employee Retirement Income Security Act as a class action suit. As a result, any settlement this Court approves will impact as many as 17,000 participants in the Wheaton Franciscan Retirement Plan. For this reason, it is imperative that this Court be fully informed of all relevant facts and legal arguments.
2. The putative class in this action has not yet been certified. Thus, in addition to demonstrating the appropriateness of the settlement agreement, the suitability of class counsel, and the sufficiency of the proposed notice, Plaintiffs also must demonstrate in their Memorandum that the proposed class satisfies the requirements for certification pursuant to Rule 23 of the Federal Rules of Civil Procedure.

3. Plaintiffs cannot provide the Court with the facts and law necessary to make these showings in the page limitation set forth in Local Rule 7. Instead, Plaintiffs request that the Court grant them leave to file a Memorandum not to exceed 25 pages in length.
4. Counsel for Defendants have been advised of this request and do not oppose it.

WHEREFORE, Plaintiffs respectfully request that this Court enter an Order granting Plaintiffs' Motion to Exceed the Page Limitation.

Dated: September 1, 2017

By: /s/ Carol V. Gilden

COHEN MILSTEIN SELLERS & TOLL, PLLC
Carol V. Gilden
Illinois Bar No.: 6185530
190 South LaSalle Street, Suite 1705
Chicago, IL 60603
Tel. (312) 357-0370
Fax: (312) 357-0369
Email: cgilden@cohenmilstein.com

Karen Handorf
Michelle C. Yau
Julie Goldsmith Reiser
Julia Horwitz
1100 New York Ave., NW, Suite 500 West
Washington, DC 20005
Tel.: (202) 408-4600
Fax: (202) 408-4699
Email: khandorf@cohenmilstein.com
myau@cohenmilstein.com
jreiser@cohenmilstein.com
jhorwitz@cohenmilstein.com

KELLER ROHRBACK L.L.P.
Lynn Lincoln Sarko
Laura R. Gerber
1201 Third Avenue, Suite 3200
Seattle, WA 98101

Tel.: (206) 623-1900
Fax: (206) 623-3384
Email: lsarko@kellerrohrback.com
lgerber@kellerrohrback.com

Ron Kilgard
Chris Graver
3101 North Central Avenue, Suite 1400
Phoenix, AZ 85012
Tel: (602) 248-0088
Fax: (602) 248-2822
Email: rkilgard@kellerrohrback.com

Interim Co-Lead Class Counsel

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2017, I electronically filed the foregoing with the Clerk of the Court using ECF, who in turn sent notice to all counsel of record.

Dated: September 1, 2017

/s/ Julia Horwitz
Julia Horwitz