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IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2014CH00829
Calendar, 6
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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

SHELDON LANGER, RONALD M.)
YERMACK, LANCE R. GOLDBERG,)
ROBERT PROSI, GERALD PETROW,)
individually on behalf of themselves and all)
others similarly situated,)

No. 2014 CH 00829
Calendar 6

Plaintiffs,)

v.)

Honorable Celia G. Gamrath
Presiding

CME GROUP, INC., a Delaware Corporation;)
THE BOARD OF TRADE OF THE CITY OF)
CHICAGO, INC., a Delaware Corporation,)

Defendants.)

JURY TRIAL DEMANDED

**PLAINTIFFS' CORRECTED MOTION FOR LEAVE
TO APPOINT ADDITIONAL CLASS REPRESENTATIVES**

Pursuant to the Court's December 2, 2021 Order, Plaintiffs request leave to appoint additional class representatives who are members of each certified Division subclass.¹ Plaintiffs propose the following as class representatives for the Division subclasses, *see* Affidavit of Stephen E. Morrissey in Support of Plaintiffs' Motion for Leave to Appoint Additional Class Representatives:

CME

- CME B1 (FULL): Plaintiffs propose Ronald Yermack as representative of the B1 Division subclass. Mr. Yermack has owned a B1 seat since 1992, and the Court has already appointed Mr. Yermack as one of the representatives of the broader CME Class. Mr. Yermack has spent many hours working with Class Counsel to advance this case, and he has attested to continuing to do so on behalf of the B1 Division subclass.
- CME B2 (IMM): Plaintiffs propose Sheldon Langer as representative of the B2 Division subclass. Mr. Langer has owned a B2 seat since 2008, and the Court has already appointed Mr. Langer as one of the representatives of the broader CME Class. Mr. Langer has spent

¹ Plaintiffs are conferring with Defendants as to whether Defendants will oppose this motion. The parties will provide an update to the Court regarding those discussions at the upcoming conference.

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many hours working with Class Counsel to advance this case, and he has attested to continuing to do so on behalf of the B2 Division subclass.

- CME B3 (IOM): Plaintiffs propose Robert Prosi as representative of the B3 Division subclass. Mr. Prosi has owned a B3 seat since 1995, and the Court has already appointed Mr. Prosi as one of the representatives of the broader CME Class. Mr. Prosi has spent many hours working with Class Counsel to advance this case, and he has attested to continuing to do so on behalf of the B3 Division subclass.
- CME B4 (GEM): Plaintiffs propose Craig Rheingruber as representative of the B4 Division subclass. Mr. Rheingruber has owned a B4 seat since 2001. Mr. Rheingruber has attested to his genuine desire to participate in this proceeding to a similar extent as the named Plaintiffs.

CBOT

- CBOT B-1 (FULL): Plaintiffs propose Lance Goldberg and Gerald Petrow as representatives of the B-1 Division subclass. Mr. Goldberg and Mr. Petrow have owned B-1 seats since 2003 and 1996, respectively. Both Mr. Goldberg and Mr. Petrow have spent many hours working with Class Counsel to advance this case, and they have attested to continuing to do so on behalf of the B-1 Division subclass.
- CBOT B-2 (AM): Plaintiffs propose Stanton Miller as representative of the B-2 Division subclass. Mr. Miller has owned a B-2 seat since 1985. Mr. Miller has attested to his genuine desire to participate in this proceeding to a similar extent as the named Plaintiffs.
- CBOT B-3 (GIM): Plaintiffs propose Ray Larsen as representative of the B-3 Division subclass. Mr. Larsen has owned a B-3 seat since 2009. Mr. Larsen has attested to his genuine desire to participate in this proceeding to a similar extent as the named Plaintiffs.
- CBOT B-4 (IDEM): Plaintiffs propose Daniel Ryan as representative of the B-4 Division subclass. Mr. Ryan has owned a B-4 seat since 2009. Mr. Ryan has attested to his genuine desire to participate in this proceeding to a similar extent as the named Plaintiffs.
- CBOT B-5 (COM): Plaintiffs propose Carol Jorissen as representative of the B-5 Division subclass. Ms. Jorissen has owned a B-5 seat since 1992. Ms. Jorissen has attested to her genuine desire to participate in this proceeding to a similar extent as the named Plaintiffs.

Dated: January 25, 2022

Respectfully submitted,

SHELDON LANGER, *et al.*

By: 

One of Their Attorneys

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PROOF OF SERVICE

Pursuant to Illinois Supreme Court Rules 11 and 131, the undersigned, an attorney, certifies that he served the foregoing instrument by transmitting it via e-mail on January 25, 2022 from Chicago, Illinois to the following designated e-mail addresses of record for Defendants' counsel, who have consented to e-mail service:

Albert L. Hogan III, Esq.
al.hogan@skadden.com

Marcella L. Lape, Esq.
marcella.lape@skadden.com



Suyash Agrawal

ATTACHMENT

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

SHELDON LANGER, RONALD M.)
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No. 2014-CH-00829

Calendar 6

Hon. Celia G. Gamrath, Presiding

**AFFIDAVIT OF STEPHEN E. MORRISSEY IN SUPPORT OF PLAINTIFFS' MOTION
FOR LEAVE TO APPOINT ADDITIONAL CLASS REPRESENTATIVES**

I, Stephen E. Morrissey, having the requisite personal knowledge, certify under the requirements of Section 1-109 of the Illinois Code of Civil Procedure as follows:

1. I submit this Affidavit in support of Plaintiffs' Motion for Leave to Appoint Additional Class Representatives.
2. I am an attorney and partner at Susman Godfrey LLP.
3. The accompanying motion seeks the appointment of the five currently named Plaintiffs as subclass representatives for their corresponding CME and CBOT divisions of membership, along with five additional plaintiffs as the subclass representatives for their corresponding CME and CBOT divisions of membership. The accompanying motion details the subclasses for which Plaintiffs propose each plaintiff will serve as representative.
4. Sheldon Langer, Ron Yermack, Lance Goldberg, Robert Prosi and Gerald Petrow have already been named representatives of the larger CBOT and CME classes, and I am confident that they will discharge their responsibilities as representatives of their corresponding

division subclasses. Their participation in this case to date has included working with counsel to identify and develop the claims, attending depositions and participating in discovery, attending court hearings, participating in mediation, and coordinating with counsel on tactical and strategic matters. I am confident that they will continue to be actively involved in the case and that they will seek a resolution that is in the best interests of the class and their division subclasses.

5. The accompanying motion proposes Craig Rheingruber, Stanton Miller, Daniel Ryan, Ray Larsen, and Carol Jorissen as representatives for the remaining division subclasses. My team and I have advised these proposed class representatives of their responsibilities in that capacity, they are equally engaged and committed, and I am confident that they will discharge their responsibilities capably in a manner that is in the best interests of their division subclasses.

* * *

Under penalties provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this Affidavit are true and correct, except as to matters herein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that I verily believe the same to be true.
Executed at Chicago, Illinois, this 25th day of January 2022.

Dated: January 25, 2022

/s/ Stephen E. Morrissey
Stephen E. Morrissey