

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS SECURITIES AND
ERISA LITIGATION

This Document Applies To:

*In re Lehman Brothers Equity/Debt Securities
Litigation*, No. 08 Civ. 5523 (LAK)

09 MD 2017 (LAK)

ECF CASE

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Declaration of Christopher S. Turner and the exhibits attached thereto, and the accompanying Memorandum of Law, the undersigned will move this Court on behalf of Defendant Ernst & Young LLP, in Courtroom 12(D) of the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on such date as the Court may set, for an order dismissing the Third Amended Complaint in the above-captioned action with prejudice pursuant to the Private Securities Litigation Reform Act of 1995 and Fed. R. Civ. P. 8, 9(b), 12(b)(1), and 12(b)(6), insofar as it asserts claims against Defendant Ernst & Young LLP.

PLEASE TAKE FURTHER NOTICE, that pursuant to Pretrial Order No. 14, filed March 17, 2010, plaintiffs' opposition submission, if any, is due on or before June 30, 2010, and Defendant Ernst & Young LLP's reply submission, if any, is due on or before July 13, 2010.

Dated: June 4, 2010

Respectfully submitted,

LATHAM & WATKINS LLP,

By:

/s/ Peter A. Wald

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