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20 [Proposed] Co-Lead Counsel for Lead Plaintiff Movant Public Pension Funds
21 [Additional Counsel on Signature Page]

22 UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA

24 JACQUES CROMIER and VIRGINIA
25 CULBERTSON, TRUSTEES OF THE
26 JACQUES CROMIER AND VIRGINIA
27 CULBERTSON TRUST DATED 4/7/03,
28 individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

BANK OF AMERICA CORP., KENNETH D.
LEWIS, and JOHN A. THAIN,

Defendants.

Electronically Filed

Case No. 09 Civ. 0544 (CW)

NOTICE OF FILING OF: (1) PUBLIC
PENSION FUNDS' MEMORANDUM OF
LAW IN OPPOSITION TO ALL OTHER
MOTIONS FOR APPOINTMENT AS LEAD
PLAINTIFF; AND (2) SUPPLEMENTAL
DECLARATION OF FREDERIC S. FOX IN
SUPPORT THEREOF

Date: April 30, 2009

Time: 2:00 p.m.

Courtroom: Honorable Claudia Wilken

1 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

2 PLEASE TAKE NOTICE that Movant Public Pension Funds has filed: (1) Public
3 Pension Funds' Memorandum of Law in Opposition to All Other Motions for Appointment as
4 Lead Plaintiff; and (2) the Supplemental Declaration of Frederic S. Fox in Support Thereof. See
5 Exhibits A-B, attached hereto.

6 Public Pension Funds' papers were filed on April 6, 2009, in the first-filed, low-
7 numbered action pending in the Southern District of New York styled *Sklar v. Bank of America*,
8 *et al.*, Civ. No. 1:09-cv-00580-DC, filed January 21, 2009.

9
10 DATED: April 13, 2009

Respectfully submitted,

11 KAPLAN FOX & KILSHEIMER LLP

12 By: /s/ Laurence D. King

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[Proposed] Co-Lead Counsel for Lead Plaintiff
Movant Public Pension Funds

1 **PROOF OF SERVICE**

2 I, Kristen Weiland, declare that I am over the age of eighteen (18) and not a party to the
3 within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 350 Sansome
4 Street, Suite 400, San Francisco, California 94104.

5 On April 13, 2009, I used the Northern District of California's Electronic Case Filing
6 System, with the ECF registered to Laurence D. King to file following document(s):

7 NOTICE OF FILING OF: (1) PUBLIC PENSION FUNDS' MEMORANDUM OF LAW
8 IN OPPOSITION TO ALL OTHER MOTIONS FOR APPOINTMENT AS LEAD
9 PLAINTIFF; AND (2) SUPPLEMENTAL DECLARATION OF FREDERIC S. FOX IN
10 SUPPORT THEREOF

11 The ECF system is designed to send an e-mail message to all parties in the case, which
12 constitutes service. According to the ECF/PACER system, for this case, the parties served are as
13 follows:

14 Joseph W. Cotchett - jcotchett@cpmlegal.com
15 Richard Cutler- Richard.cutler@dechert.com
16 Michelle Therese Duval - mduval@cpmlegal.com
17 Laurence D. King - lking@kaplanfox.com, kweiland@kaplanfox.com,
18 mgallagher@kaplanfox.com, agutierrez@kaplanfox.com
19 Jonathan Krasne Levine - jkl@girardgibbs.com, mav@girardgibbs.com
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21 oszeto@cpmlegal.com, bgoldman@cpmlegal.com, pskahan@cpmlegal.com,
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23 Gerald S. Ohn - gohn@cpmlegal.com
24 Erik David Peterson - epeterson@csgrr.com
25 David Carlyle Powell - dpowell@reedsmith.com, kbarnacle@reedsmith.com

26 I further certify that I caused the above-listed document to be forwarded to the following
27 designated Securities Class Action Clearinghouse via electronic mail at the following address:

28 Securities Class Action Clearinghouse
Stanford University School of Law
Crown Quadrangle
Stanford, CA 94305-8612
scac@law.stanford.edu

1 I declare under penalty of perjury under the laws of the United States of America and the
2 State of California that the foregoing is true and correct.

3 Executed April 13, 2009, at San Francisco, California.

4
5 /s/ Kristen Weiland
6 Kristen Weiland
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