

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE AEGEAN MARINE PETROLEUM
NETWORK, INC. SECURITIES
LITIGATION

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) Case No. 1:18-cv-04993 (NRB)
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) Hon. Naomi Reice Buchwald
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**NOTICE OF LEAD PLAINTIFF’S UNOPPOSED MOTION FOR:
(I) PRELIMINARY APPROVAL OF PROPOSED PARTIAL CLASS ACTION
SETTLEMENTS WITH PRICEWATERHOUSECOOPERS AUDITING COMPANY S.A. AND
DELOITTE CERTIFIED PUBLIC ACCOUNTANTS, S.A.;
(II) PRELIMINARY CERTIFICATION OF SETTLEMENT CLASS; AND
(III) APPROVAL OF NOTICE TO THE SETTLEMENT CLASS**

PLEASE TAKE NOTICE that Lead Plaintiff Utah Retirement Systems (“Lead Plaintiff”), on behalf of itself and the proposed Settlement Class,¹ hereby moves this Court before the Honorable Naomi Reice Buchwald, for entry of the PwC Greece Preliminary Approval Order, which is attached as Exhibit A to the March 22, 2022 Amendment to the PricewaterhouseCoopers Auditing Company S.A. Stipulation and Agreement of Partial Settlement Dated November 9, 2021 (“PwC Greece Stipulation Amendment”) and the Deloitte Greece Preliminary Approval Order, which is attached as Exhibit A to the March 24, 2022 Stipulation and Agreement of Partial Settlement with Deloitte Certified Public Accountants, S.A. (the “Deloitte Greece Stipulation”):

- (a) preliminarily approving the Partial Settlements;
- (b) preliminarily certifying the Settlement Class;
- (c) providing for Notice;
- (d) appointing Lead Plaintiff as Class Representative and Lead Counsel as Class Counsel for

¹ All capitalized terms not otherwise defined herein have the same meaning as in the Notice of (i) Pendency of Class Action and Proposed Partial Settlements; and (ii) Final Approval Hearing For The Partial Settlements, Plans of Allocation, Motion For Approval of Attorneys’ Fees and Reimbursement of Litigation Expenses and Application For The Establishment of a Litigation Expense Fund (the “Omnibus Notice”).

purposes of the Partial Settlements only;

- (e) scheduling the Final Approval Hearing for the Partial Settlements; and
- (f) granting such other and further relief as the Court deems just and proper

(the “Motion”).

The proposed Partial Settlements were reached by Lead Plaintiff and defendants PricewaterhouseCoopers Auditing Company S.A. (“PwC Greece”) and Deloitte Certified Public Accountants, S.A. (“Deloitte Greece”). In light of the recent settlement with Deloitte Greece and the desire to combine notice and proceed with the distribution of the Net Settlement Funds upon final approval, this motion is submitted in place of the motion to preliminarily approve the proposed Partial Settlement with PwC Greece submitted on November 9, 2021 (ECF Nos. 327-30) and incorporates the Partial Settlements with both PwC Greece and Deloitte Greece.

The proposed Partial Settlements would resolve the claims against PwC Greece and Deloitte Greece (the “Settling Defendants”) and release claims against the Settling Defendants, four defendants who were initially named in the action but had been dismissed by order dated March 29, 2021 (ECF No. 293) (namely PricewaterhouseCoopers International Limited (“PwCIL”), PricewaterhouseCoopers LLP (“PwC US”), Deloitte & Touche LLP (“Deloitte US”) and Deloitte Touche Tohmatsu Limited (“DTTL”)) and other Released Parties defined in the settlement agreements.

These proposed Partial Settlements do not release claims against defendants Dimitris Melisanidis and Spyros Gianniotis (the “Non-Settling Defendants”), or any Dismissed Defendants other than PwCIL, PwC US, Deloitte US and DTTL.

PwC Greece and Deloitte Greece each support the relief requested and will not oppose this motion.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, Lead Plaintiff submits herewith: (1) Memorandum in Support of Lead Plaintiff’s Motion; and (2) the Declaration of Nicole Lavalée in support thereof with exhibits thereto.

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Dated: March 24, 2022

Respectfully submitted,

BERMAN TABACCO

By: /s/ Nicole Lavallee
Nicole Lavallee (admitted *pro hac vice*)

Joseph J. Tabacco, Jr. (JT1994)
Christopher T. Heffelfinger (admitted *pro hac vice*)
Kristin Moody (admitted *pro hac vice*)
A. Chowning Poppler (admitted *pro hac vice*)
Jeffrey Rocha (admitted *pro hac vice*)
44 Montgomery Street, Suite 650
San Francisco, CA 94104
Telephone: (415) 433-3200
Facsimile: (415) 433-6382
Email: jtabacco@bermantabacco.com
nvallee@bermantabacco.com
cheffelfinger@bermantabacco.com
kmoody@bermantabacco.com
cpoppler@bermantabacco.com
jrocha@bermantabacco.com

Counsel for Lead Plaintiff Utah Retirement Systems