

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LEON MARTIN, derivatively on behalf of ABBOTT  
LABORATORIES,

Plaintiff,

v.

ROBERT B. FORD, et al.,

Defendants,

and

ABBOTT LABORATORIES,

Nominal Defendant.

Case No. 1:22-cv-05513  
District Judge Manish S. Shah  
Magistrate Judge Sheila M. Finnegan

**NEW YORK STATE COMMON RETIREMENT FUND'S MOTION TO SEAL  
PORTIONS OF ITS MOTION FOR APPOINTMENT  
AS LEAD PLAINTIFF AND TO APPOINT LEAD COUNSEL**

Pursuant to Local Rule 26.2, Plaintiff Thomas P. DiNapoli, Comptroller of the State of New York, Administrative Head of the New York State and Local Retirement System, and Trustee of the New York State Common Retirement Fund (“NYSCRF”), respectfully requests that the Court permit the filing of the Memorandum of Law In Support of New York State Common Retirement Fund’s Motion for Appointment as Lead Plaintiff and to Appoint Lead Counsel in the Related Actions<sup>1</sup> (the “Brief”) and Exhibit 5 to the Declaration of Katherine Lubin Benson under seal.

1. Pursuant to Local Rule 26.2, NYSCRF has provisionally filed the Brief and the Benson Declaration under seal.
2. The Brief and Exhibit 5 to the Benson Declaration (containing a list of materials relied upon for NYSCRF’s Verified Shareholder Derivative Complaint) quote from and otherwise reference non-public information produced to NYSCRF pursuant to a books and records request under 805 ILCS § 5/7.75 by the nominal defendant, Abbott Laboratories (“Abbott”). NYSCRF and Abbott entered into a Confidentiality Agreement dated March 17, 2023, wherein the parties agreed to redact all references to Confidential Information in any motions filed with such court and to file a motion to file the pleading under seal.

WHEREFORE, NYSCRF respectfully requests that the Court permit it to submit the Brief and Exhibit 5 to the Benson Declaration under seal pursuant to Local Rule 26.2.

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<sup>1</sup> The Related Actions are: *DiNapoli v. Ford, et al.*, Case No. 1:23-cv-4142; *Martin v. Ford et al.*, Case No. 1:22-cv-5513; *Lippman v. Ford, et al.*, Case No. 1:23-cv-266; *Huetteman v. Ford, et al.*, Case No. 1:23-cv-296; *Steele v. Randall*, Case No. 1:23-cv-850; *Hamilton v. Ford, et al.*, Case No. 1:23-cv-2648; and *Int’l Bhd. of Teamsters Local No. 710 Pension Fund et al. v. Ford, et al.*, Case No. 1:23-cv-4143.

Dated: July 14, 2023

Respectfully submitted,

/s/ Katherine Lubin Benson

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