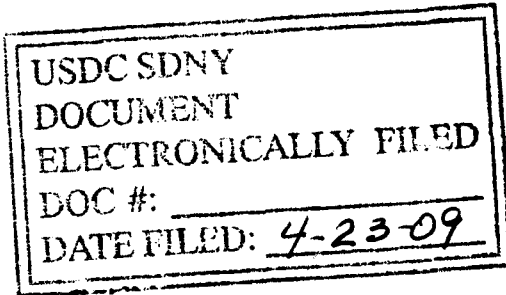


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
IRON WORKERS LOCAL NO. 25 PENSION :
FUND, Individually and On Behalf of :
All Others Situated Similarly :
:
Plaintiff, :
:
-v- :
:
CREDIT-BASED ASSET SERVICING AND :
SECURITIZATION, LLC, et al., :
:
Defendants. :
-----x

08 Civ. 10841 (JSR)



-----x
PUBLIC EMPLOYEES' RETIREMENT SYSTEM :
OF MISSISSIPPI, Individually and On :
Behalf of All Others Similarly :
Situated, :
:
Plaintiff, :
:
-v- :
:
MERRILL LYNCH & CO. INC., et al., :
:
Defendants. :
-----x

09 Civ. 1392 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

The respective plaintiffs in these now-consolidated actions each move to be appointed lead plaintiff pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 77z-1(a)(3)(B). Upon consideration of the parties' oral and written submissions and the testimony given at the hearing held on April 1, 2009, the Court hereby grants the motion by the Public Employees' Retirement System of Mississippi, denies the motion by the Iron Workers Local No. 25 Pension Fund, and appoints the Public Employees' Retirement System of Mississippi as lead plaintiff. The Court also appoints Bernstein

Litowitz Berger & Grossmann LLP, which is counsel to the Public Employees' Retirement System of Mississippi, as lead counsel in the consolidated matter. These determinations are, however, without prejudice to co-lead plaintiff(s) and co-lead counsel being subsequently appointed if circumstances warrant, such as might be the case, for example, if subsequent cases are added to this consolidated litigation. See Wyoming State Treasurer v. Merrill Lynch & Co., Inc., et al., 09 Civ. 3030 (JSR).

These determinations have involved the Court's resolution of several difficult issues, which will be elaborated in a written opinion that will issue promptly following the completion of the ongoing criminal trial, United States v. Treacy, 08 Cr. 0366, that the Court is presently conducting. However, the Court issues this "bottom-line" order now so that the instant litigation may move forward in accordance with the schedule previously set by the Court.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
April 23, 2009