

McKENNA JS

Keith W. Miller
PAUL, HASTINGS, JANOFSKY & WALKER LLP
75 East 55th Street
New York, New York 10022
(212) 318-6000

James D. Wareham
PAUL, HASTINGS, JANOFSKY & WALKER LLP
875 15th Street, N.W.
Washington, D.C. 20005
(202) 551-1700

William F. Sullivan
Howard M. Privette
John S. Durrant
PAUL, HASTINGS, JANOFSKY & WALKER LLP
515 South Flower Street
Los Angeles, California 90071
(213) 683-6000

Defendants UBS Securities LLC,
UBS Financial Services Inc., UBS AG, Marten
Hoekstra, and Marcel Rohner

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/7/2010

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

IN RE UBS AUCTION RATE SECURITIES
LITIGATION

This Document Relates To: No. 08-cv-02967
No. 08-cv-03082
No. 08-cv-04352
No. 08-cv-05251

Case No: 08-CV-2967 (LMM)

ECF Case


~~PROPOSED~~ JUDGMENT

On June 10, 2010, the Court entered a Memorandum and Order (Dkt. No. 179) granting the motions filed by defendants UBS AG, UBS Financial Services Inc., UBS Securities LLC, Marten Hoekstra, Marcel Rohner, Joseph Scoby, and David Shulman ("Defendants") to dismiss each and every claim alleged in the First Amended Consolidated Class Action Complaint for Violations of the Federal Securities Laws (the "Complaint") (Dkt. No. 133). The Court granted plaintiffs David Neu and Charles H. Dutcher, III ("Plaintiffs") leave to file an amended complaint by June 30, 2010, for the limited purpose of repleading allegations concerning temporary interest cap waivers, if they could do so consistent with Rule 11. Plaintiffs did not file an amended complaint with the Court within the prescribed time.

WHEREFORE, IT IS ORDERED AND ADJUDGED that:

- I. The Complaint and this action, including each and every purported claim alleged therein, are fully and finally dismissed with prejudice;
- II. Plaintiffs shall take nothing from any Defendants in this action; and,
- III. Defendants shall have judgment against Plaintiffs for their costs of suit as taxed by the Clerk.

Dated: 7/7, 2010


UNITED STATES DISTRICT JUDGE
LAWRENCE M. MCKENNA

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**