

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PUBLIC EMPLOYEES' RETIREMENT
SYSTEM OF MISSISSIPPI, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

Civil Action

No:

ENDO INTERNATIONAL PLC; RAJIV
KANISHKA LIYANAARCHCHIE DE SILVA;
SUKETU P. UPADHYAY; DANIEL A. RUDIO;
ROGER H. KIMMEL; SHANE M. COOKE;
JOHN J. DELUCCA; ARTHUR J. HIGGINS;
NANCY J. HUTSON; MICHAEL HYATT;
WILLIAM P. MONTAGUE; JILL D. SMITH;
WILLIAM F. SPENGLER; GOLDMAN,
SACHS & CO.; J.P. MORGAN SECURITIES
LLC; BARCLAYS CAPITAL INC.;
DEUTSCHE BANK SECURITIES INC.; RBC
CAPITAL MARKETS, LLC; CITIGROUP
GLOBAL MARKETS, LLC; MORGAN
STANLEY & CO. LLC; SUNTRUST
ROBINSON HUMPHREY, INC.; TD
SECURITIES (USA) LLC; and MITSUBISHI
UFJ SECURITIES (USA) INC.,

Defendants.

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, and the Securities Litigation Uniform Standards Act of 1998 ("SLUSA"), 15 U.S.C. §§ 77v(a), 77p(c), Defendants Endo International plc ("Endo"), Rajiv Kanishka Liyanaarchchie de Silva, Suketu P. Upadhyay, Daniel A. Rudio, Roger H. Kimmel, Shane M. Cooke, John J. Delucca, Arthur J.

Higgins, Nancy J. Hutson, Michael Hyatt, William P. Montague, Jill D. Smith, and William F. Spengler (the “Removing Defendants”) by and through their undersigned counsel, hereby remove this putative class action from the Court of Common Pleas of Chester County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania. The Removing Defendants appear for purposes of removal only and reserve all defenses and rights available.

As grounds for removal, the Removing Defendants state as follows:

1. On February 28, 2017, named plaintiff Public Employees’ Retirement System of Mississippi filed this action against Defendants in the Court of Common Pleas of Chester County, Pennsylvania (Case No. 2017-02081-MJ).

2. On March 21, 2017, counsel for the Removing Defendants accepted service on their behalf. Defendants Goldman, Sachs & Co., J.P. Morgan Securities LLC, Barclays Capital Inc., Deutsche Bank Securities Inc., RBC Capital Markets, LLC, Citigroup Global Markets Inc. (incorrectly named as Citigroup Global Markets, LLC), Morgan Stanley & Co. LLC, Suntrust Robinson Humphrey, Inc., TD Securities (USA) LLC, and MUFG Securities Americas Inc. (incorrectly named as Mitsubishi UFJ Securities (USA) Inc.), (the “Underwriter Defendants”) were served on March 8, 2017. Therefore, this notice is timely filed under 28 U.S.C. § 1446(b)’s 30-day time limit.

3. There are no pending motions in this case.

4. The Underwriter Defendants consent to removal. Accordingly, the Removing Defendants hereby certify that *all* defendants in the action consent to the removal of this case. A Consent to Removal will be filed subsequently by the Underwriter Defendants.

Removal Is Proper Under 28 U.S.C. § 1441

5. Federal district courts “shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. Accordingly, the federal removal statute, 28 U.S.C. § 1441(a), provides:

Except as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed [to federal court]

This case is within the original jurisdiction of this Court, under Section 1331, because it asserts claims purporting to arise under the laws of the United States, namely Sections 11, 12(a)(2) and 15 of the Securities Act of 1933 (the “Securities Act”). 15 U.S.C. §§ 77k, 77l(a)(2), 77o. The action is therefore removable under Section 1441(a) unless Congress has “otherwise expressly provided.”

Before SLUSA: Section 22(a) of the Securities Act Created Concurrent Jurisdiction Over, and Barred Removal of, Securities Act Cases

6. In Section 22(a) of the Securities Act, as it was written in 1933, Congress *did* “otherwise expressly provide[.]” Back then, the jurisdictional provision of Section 22(a) stated:

The district courts of the United States and the United States courts of any Territory shall have jurisdiction of offenses and violations under this title [the Securities Act] and under the rules and regulations promulgated by the Commission in respect thereto, and, *concurrent with State and Territorial courts, of all suits in equity and actions at law brought to enforce any liability or duty created by this title [the Securities Act].*

15 U.S.C. § 77v(a) (1933) (emphasis added). Accordingly, the original Securities Act provided for concurrent federal and state jurisdiction over Securities Act claims. Similarly, the original removal provision of Section 22(a) of the Securities Act barred the removal of Securities Act cases filed in state court, by providing that: “No case arising under this title [the Securities Act]

and brought in any State court of *competent jurisdiction* shall be removed to any court of the United States.” *See* 15 U.S.C. § 77v(a) (1933) (emphasis added).

7. SLUSA re-wrote both of these provisions to eliminate state court jurisdiction over, and requiring removal of, Securities Act claims.

After SLUSA: Section 22(a) of the Securities Act is Amended to Establish Federal Court as the Exclusive Venue for Securities Act Claims.

8. In 1998, Congress enacted SLUSA expressly to “make[] Federal court the exclusive venue for securities class action lawsuits.” H.R. Rep. No. 105-640, at 8 (1998).

9. To ensure that federal courts are the exclusive venue for these securities class actions, SLUSA amended both the jurisdictional and removal provisions of Section 22(a) of the Securities Act. The jurisdictional provision of Section 22(a) now provides:

The district courts of the United States and the United States courts of any Territory shall have jurisdiction of offenses and violations under this title [the Securities Act] and under the rules and regulations promulgated by the Commission in respect thereto, and, concurrent with State and Territorial courts, *except as provided in section 16 [15 U.S.C. § 77p] with respect to covered class actions*, of all suits in equity and actions at law brought to enforce any liability or duty created by this title [the Securities Act].

15 U.S.C. § 77v(a) (1998) (amendment in italics). Similarly, Section 22(a)’s removal provision now provides:

Except as provided in section 16(c) [15 U.S.C. § 77p(c)], no case arising under this title [the Securities Act] and brought in any State court of competent jurisdiction shall be removed to any court of the United States.

15 U.S.C. § 77v(a) (1998) (amendments in italics). The “section 16” exceptions to each of these provisions refer to SLUSA.

10. As discussed above, SLUSA amended the jurisdictional provision of Section 22(a) to create exclusive federal jurisdiction over “covered class actions.” 15 U.S.C. § 77v(a). Section 16 of the Securities Act, as amended by SLUSA, defines a “covered class action” to include any case in which a plaintiff asserts claims “on a representative basis on behalf of [himself] and other unnamed parties similarly situated, and questions of law or fact common to those persons or members of the prospective class predominate” 15 U.S.C. § 77p(f)(2)(A)(i)(II).

11. This case is a covered class action under SLUSA because plaintiff is a named party seeking to recover damages on a representative basis on behalf of itself and others similarly situated, and the Complaint alleges that common questions of law or fact predominate over individual questions. *See, e.g.*, Compl. ¶¶ 80-84. Because this case involves a covered class action, federal courts have exclusive jurisdiction over it pursuant to Section 22(a). Indeed, every court within the Third Circuit that has considered this issue has held that SLUSA divested state courts of jurisdiction over claims under the Securities Act (such as those asserted in this case), and that class actions asserting such claims under the Securities Act are removable under SLUSA. *See Iron Workers Dist. Council of New England Pension Fund v. MoneyGram Int’l., Inc.*, --- F. Supp. 3d ---, C.A. No. 15-402-LPS, 2016 WL 4585975, at *5 (D. Del. Sept. 2, 2016) (“Congress expressly eliminated state courts’ concurrent jurisdiction over covered class actions arising under the Securities Act”); *Rovner v. Vonage Holdings Corp.*, No. 07-178, 2007 WL 446658, at *3 (D.N.J. Feb. 7, 2007) (holding that SLUSA “replaced concurrent jurisdiction with exclusive federal jurisdiction over ‘covered class actions’” brought under the Securities Act); *Pinto v. Vonage Holdings Corp.*, No. 07-0062 (FLW), 2007 WL 1381746, at *2 (D.N.J. May 7,

2007) (holding that SLUSA “divest[ed] state courts of concurrent jurisdiction over covered class actions”). This case’s removal to federal court is required for this reason alone.

12. An additional, and independent, basis for removal is provided by SLUSA’s amendment to Section 22(a)’s removal provision. As discussed above, SLUSA amended that removal provision so that cases “arising under” the Securities Act cannot be removed from state court to federal court “[e]xcept as provided in section 16(c).” 15 U.S.C. § 77v(a). Section 16(c) provides:

Any covered class action brought in any State court involving a covered security, as set forth in subsection (b), shall be removable to the Federal district court for the district in which the action is pending, and shall be subject to subsection (b).

15 U.S.C. § 77p(c). Subsection (b), in turn, identifies securities class actions based on (1) untrue statements or omissions or (2) deceptive sales. *See* 15 U.S.C. § 77p(b). Thus, Section 16(c) authorizes the removal of class actions that allege misstatements or omissions in connection with a covered security. A “covered security” is defined to include shares either listed, or authorized for listing, on the New York Stock Exchange (“NYSE”), American Stock Exchange (“ASE”), or National Market System of the Nasdaq Stock Market (“Nasdaq”), or “a security of the same issuer that is equal in seniority or that is a senior security to a security” that is listed, or authorized for listing, on the NYSE, ASE, or Nasdaq. *See* 15 U.S.C. §§ 77p(f)(3), 77r(b)(1)(A), (C).

13. Here, the securities at issue, the common shares of Endo, are “covered securit[ies]” within the meaning of SLUSA because they are listed, and were listed during the relevant period, on NASDAQ. *See, e.g.*, Compl. ¶¶ 1, 4-6. Because this action is a covered class action (*supra* ¶¶ 10-11), makes allegations of untrue statements or omissions (*see, e.g.*, Compl. ¶ 2), involves a covered security, and was brought in state court, it is also removable under Section

16(c). *See, e.g., Rovner*, 2007 WL 446658, at *5 (finding the SLUSA requires removal of covered class action alleging Securities Act claims). Removal is appropriate for this additional reason.

Additional Removal Considerations

14. Pursuant to 28 U.S.C. § 1446(a), attached hereto as Exhibit A is a true and correct copy of the Complaint and Notice to Defend, Civil Cover Sheets, Affidavits of Service of Complaint and Notice to Defend, and Acceptance of Service filed in state court. No other pleadings or orders have been filed in this litigation.

15. The Removing Defendants will promptly serve Plaintiff with a copy of the Notice of Removal and file with the Clerk of the Court of Common Pleas of Chester County, Pennsylvania, a Notice of Filing Notice of Removal pursuant to 28 U.S.C. § 1446(d).

16. Venue is proper in the Eastern District of Pennsylvania under 28 U.S.C. § 1441(a) because the state court where the suit has been pending is located in this district.

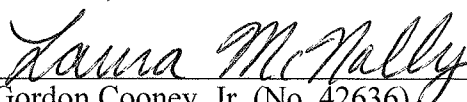
17. This Notice of Removal is signed pursuant to Fed. R. Civ. P. 11.

18. Accordingly, Removing Defendants remove this action in its entirety from the Court of Common Pleas of Chester County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania.

Dated: Philadelphia, Pennsylvania
March 31, 2017

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



J. Gordon Cooney, Jr. (No. 42636)
Laura H. McNally (No. 310658)
1701 Market Street

Philadelphia, Pennsylvania 19103
Telephone: (215) 963-5000
Facsimile: (215) 963-5001
gordon.cooney@morganlewis.com
laura.mcnally@morganlewis.com

Miles N. Ruthberg (*pro hac vice* motion to be filed)
James E. Brandt (*pro hac vice* motion to be filed)
Jeff G. Hammel (*pro hac vice* motion to be filed)
LATHAM & WATKINS LLP
885 Third Avenue
New York, New York 10022
Telephone: (212) 906-1200
Facsimile: (212) 751-4864
miles.ruthberg@lw.com
james.brandt@lw.com
jeff.hammel@lw.com

*Attorneys for Defendants Endo International plc,
Rajiv Kanishka Liyanaarchchie de Silva, Suketu P.
Upadhyay, Daniel A. Rudio, Roger H. Kimmel,
Shane M. Cooke, John J. Delucca, Arthur J.
Higgins, Nancy J. Hutson, Michael Hyatt, William
P. Montague, Jill D. Smith, and William F. Spengler*

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2017, a true and correct copy of the foregoing was served upon the following persons via email and federal express:

Mark S. Goldman, Esquire
GOLDMAN SCARLATO &
PENNY, P.C.
161 Washington Street
Conshohocken, PA 19428
(484) 341-0700
goldman@lawgsp.com

Jonathan Gardner, Esquire
Serena Howell, Esquire
Thomas Watson, Esquire
LABATON SUCHAROW LLP
140 Broadway
New York, NY 10005
(212) 907-0700
jgardner@labaton.com
shallowell@labaton.com
twatson@labaton.com

Counsel for Plaintiff

Scott A. Edelman
Jed M. Schwartz
Grant R. Mainland
MILBANK, TWEED, HADLEY &
MCCLOY LLP
28 Liberty Street
New York, New York 10005
Telephone: (212) 530-5000
sedelman@milbank.com
jschwartz@milbank.com
gmainland@milbank.com

*Counsel for Goldman, Sachs & Co., J.P.
Morgan Securities LLC, Barclays Capital Inc.,
Deutsche Bank Securities Inc., RBC Capital
Markets, LLC, Citigroup Global Markets, LLC,
Morgan Stanley & Co. LLC, Suntrust Robinson
Humphrey, Inc., TD Securities (USA) LLC, and
Mitsubishi UFJ Securities (USA) Inc.*



Laura H. McNally

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Public Employees' Retirement System of	:	CIVIL ACTION
Mississippi, Individually and on Behalf	:	
Of All Others Similarly Situated	:	
v.	:	
Endo International plc, et al.	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) (X)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

March 31, 2017	Laura H. McNally	<i>Endo International plc, Rajiv Kanishka Liyanaarchchie de Silva, Suketu P. Upadhyay, Daniel A. Rudio, Roger H. Kimmel, Shane M. Cooke, John J. Delucca, Arthur J. Higgins, Nancy J. Hutson, Michael Hyatt, William P. Montague, Jill D. Smith, and William F. Spengler</i>
Date	Attorney-at-law	Attorney for
(215) 963-5257	(215) 963-5001	laura.mcnally@morganlewis.com
Telephone	FAX Number	E-Mail Address

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
 Public Employees' Retirement System of Mississippi, Individually and on Behalf of All Others Similarly Situated
(b) County of Residence of First Listed Plaintiff Hinds County, MS
 (EXCEPT IN U.S. PLAINTIFF CASES)
(c) Attorneys (Firm Name, Address, and Telephone Number)
 See Attachment

DEFENDANTS
 Endo International plc, et al. (See Attachment)
 County of Residence of First Listed Defendant Chester County, PA
 (IN U.S. PLAINTIFF CASES ONLY)
 NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
 Attorneys (If Known)
 See Attachment

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
 1 U.S. Government Plaintiff
 2 U.S. Government Defendant
 3 Federal Question (U.S. Government Not a Party)
 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
 (For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input checked="" type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)
 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District (specify)
 6 Multidistrict Litigation - Transfer
 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
 Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. §§ 77k, 771(a)(2), and 77o
 Brief description of cause:
Putative class action arising under Sections 11, 12(a)(2) and 15 of the Securities Act of 1933

VII. REQUESTED IN COMPLAINT:
 CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____
 CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions):
 JUDGE Hon. Jesse M. Furman DOCKET NUMBER S.D.N.Y. 1:16-cv-03912

DATE 03/31/2017
 SIGNATURE OF ATTORNEY OF RECORD


Plaintiff:

Public Employees' Retirement System of Mississippi

Plaintiff's Counsel:

Mark S. Goldman (No. 48049)
GOLDMAN SCARLATO & PENNY, P.C.
8 Tower Bridge, Suite 1025
161 Washington Street
Conshohocken, PA 19428
Telephone: (484) 342-0700
goldman@lawgsp.com

Jonathan Gardner
Serena Hallowell
Thomas Watson
LABATON SUCHAROW LLP
140 Broadway
New York, NY 10005
Telephone: (212) 907-0700
jgardner@labaton.com
shallowell@labaton.com
twatson@labaton.com

Counsel for Plaintiff

Defendants:

Endo International plc, Rajiv Kanishka Liyanaarchchie de Silva, Suketu P. Upadhyay, Daniel A. Rudio, Roger H. Kimmel, Shane M. Cooke, John J. Delucca, Arthur J. Higgins, Nancy J. Hutson, Michael Hyatt, William P. Montague, Jill D. Smith, William F. Spengler, Goldman, Sachs & Co., J.P. Morgan Securities LLC, Barclays Capital Inc., Deutsche Bank Securities Inc., RBC Capital Markets, LLC, Citigroup Global Markets, LLC, Morgan Stanley & Co. LLC, Suntrust Robinson Humphrey, Inc., TD Securities (USA) LLC, and Mitsubishi UFJ Securities (USA) Inc.

Defendants' Counsel:

MORGAN, LEWIS & BOCKIUS LLP
J. Gordon Cooney, Jr. (No. 42636)
Laura Hughes McNally (No. 310658)
1701 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-5000
Facsimile: (215) 963-5001
gordon.cooney@morganlewis.com
laura.mcnally@morganlewis.com

LATHAM & WATKINS LLP
Miles N. Ruthberg (*pro hac vice to be submitted*)
James E. Brandt (*pro hac vice to be submitted*)
Jeff G. Hammel (*pro hac vice to be submitted*)
885 Third Avenue
New York, New York 10022
Telephone: (212) 906-1200
miles.ruthberg@lw.com
james.brandt@lw.com
jeff.hammel@lw.com

Counsel for Endo International plc, Rajiv Kanishka Liyanaarchchie de Silva, Suketu P. Upadhyay, Daniel A. Rudio, Roger H. Kimmel, Shane M. Cooke, John J. Delucca, Arthur J. Higgins, Nancy J. Hutson, Michael Hyatt, William P. Montague, Jill D. Smith, and William F. Spengler

MILBANK, TWEED, HADLEY & MCCLOY LLP
Scott A. Edelman (*pro hac vice to be submitted*)
Jed M. Schwartz (*pro hac vice to be submitted*)
Grant R. Mainland (*pro hac vice to be submitted*)
28 Liberty Street
New York, New York 10005
Telephone: (212) 530-5000
sedelman@milbank.com
jschwartz@milbank.com
gmainland@milbank.com

Counsel for Goldman, Sachs & Co., J.P. Morgan Securities LLC, Barclays Capital Inc., Deutsche Bank Securities Inc., RBC Capital Markets, LLC, Citigroup Global Markets, LLC, Morgan Stanley & Co. LLC, Suntrust Robinson Humphrey, Inc., TD Securities (USA) LLC, and Mitsubishi UFJ Securities (USA) Inc.

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Public Employees' Retirement System of Mississippi, 429 Mississippi Street, Jackson, Hinds County, MS 39201

Address of Defendant: Endo International plc, 1400 Atwater Drive, Malvern, Chester County, PA 19355

Place of Accident, Incident or Transaction: Nationwide Putative Class
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes No

Does this case involve multidistrict litigation possibilities? Yes No

RELATED CASE, IF ANY:
Case Number: SDNY 1:16-cv-03912 Judge Hon. Jesse M. Furman Date Terminated: N/A

- Civil cases are deemed related when yes is answered to any of the following questions:
1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes No
 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes No
 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes No
 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes No

- CIVIL: (Place in ONE CATEGORY ONLY)
- A. Federal Question Cases:
1. Indemnity Contract, Marine Contract, and All Other Contracts
 2. FELA
 3. Jones Act-Personal Injury
 4. Antitrust
 5. Patent
 6. Labor-Management Relations
 7. Civil Rights
 8. Habeas Corpus
 9. Securities Act(s) Cases
 10. Social Security Review Cases
 11. All other Federal Question Cases
(Please specify) _____
- B. Diversity Jurisdiction Cases:
1. Insurance Contract and Other Contracts
 2. Airplane Personal Injury
 3. Assault, Defamation
 4. Marine Personal Injury
 5. Motor Vehicle Personal Injury
 6. Other Personal Injury (Please specify)
 7. Products Liability
 8. Products Liability — Asbestos
 9. All other Diversity Cases
(Please specify) _____

ARBITRATION CERTIFICATION
(Check Appropriate Category)

I, Laura McNally, counsel of record do hereby certify:
 Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
 Relief other than monetary damages is sought.

DATE: March 31, 2017 Laura McNally 310658
Attorney-at-Law Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: March 31, 2017 Laura McNally 310658
Attorney-at-Law Attorney I.D.#