

United States District Court  
for the  
Southern District of New York  
Related Case Statement

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Full Caption of Later Filed Case:

OPERATING ENGINEERS  
CONSTRUCTION INDUSTRY AND  
MISCELLANEOUS PENSION FUND,  
derivatively on behalf of JPMORGAN CHASE  
& CO.,

Plaintiff

Case Number

vs.

1:23-cv-03903

JAMES DIMON, ASHLEY BACON, LINDA B. BAMMANN, JAMES A. BELL, JOHN H. BIGGS, CRANDALL C. BOWLES, STEPHEN B. BURKE, TODD A. COMBS, DAVID M. COTE, JAMES S. CROWN, MARY C. ERDOES, TIMOTHY P. FLYNN, ELLEN V. FUTTER, MELLODY HOBSON, JOHN J. HOGAN, LABAN P. JACKSON, JR., JOHN W. KESSLER, ROBERT I. LIPP, RICHARD A. MANOOGIAN, MICHAEL A. NEAL, DAVID C. NOVAK, LEE R. RAYMOND, JAMES E. STALEY, WILLIAM C. WELDON, and BARRY L. ZUBROW,

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

JANE DOE 1, Individually and on  
Behalf of All Others Similarly  
Situated,

Plaintiff

Case Number

vs.

22-cv-10019 (JSR)

JPMORGAN CHASE BANK, N.A.,

Defendant

## Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

On May 1, 2023, the Court entered an order granting in part and denying in part JP Morgan's motion to dismiss Doe's First Amended Complaint (Docket #130). The parties are proceeding with certain fact discovery, including the service of document subpoenas and certain depositions scheduled for May 2023.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly-filed litigation and earlier-filed litigation arise from a common nucleus of operative fact related to Epstein's longstanding history as a client of JP Morgan, and JP Morgan's concealment and/or failure to report Epstein's suspicious banking practices to regulators. The earlier-filed litigation asserts that JP Morgan facilitated, concealed, and/or enabled Epstein's abuse of dozens of victims, in violation of New York and federal law. The newly-filed litigation seeks to hold the board of directors liable for breaching their fiduciary duties by failing to properly oversee JP Morgan's relationship with Epstein and JP Morgan's compliance with applicable banking laws and regulations, and thereby allowing JP Morgan's misconduct related to Epstein to occur.

Signature: s/ Rebecca Musarra Date: 05/09/2023  
Grant & Eisenhofer P.A.

Firm: \_\_\_\_\_

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for the  
Southern District of New York  
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OPERATING ENGINEERS CONSTRUCTION  
INDUSTRY AND MISCELLANEOUS  
PENSION FUND, derivatively on behalf of  
JPMORGAN CHASE & CO.,

Plaintiff

Case Number

vs.

1:23-cv-03903

JAMES DIMON, ASHLEY BACON, LINDA B. BAMMANN, JAMES A. BELL, JOHN H. BIGGS, CRANDALL C. BOWLES, STEPHEN B. BURKE, TODD A. COMBS, DAVID M. COTE, JAMES S. CROWN, MARY C. ERDOES, TIMOTHY P. FLYNN, ELLEN V. FUTTER, MELLODY HOBSON, JOHN J. HOGAN, LABAN P. JACKSON, JR., JOHN W. KESSLER, ROBERT I. LIPP, RICHARD A. MANOOGIAN, MICHAEL A. NEAL, DAVID C. NOVAK, LEE R. RAYMOND, JAMES E. STALEY, WILLIAM C. WELDON, and BARRY L. ZUBROW,

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

GOVERNMENT OF THE UNITED  
STATES VIRGIN ISLANDS,

Plaintiff

Case Number

vs.

22-cv-10904 (JSR)

JPMORGAN CHASE BANK, N.A.,

Defendant

## Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

On May 8, 2023, the Court issued an order granting in part and denying in part JP Morgan's motion to dismiss the U.S. Virgin Islands' Second Amended Complaint (Docket #135). The parties are proceeding with certain fact discovery, including the service of document subpoenas and certain depositions scheduled for May 2023.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly-filed litigation and earlier-filed litigation arise from a common nucleus of operative fact related to Jeffrey Epstein's longstanding history as a client of JP Morgan, and JP Morgan's concealment of and/or failure to report Epstein's suspicious banking practices to regulators. The earlier-filed litigation asserts that JP Morgan facilitated, concealed, and/or enabled Epstein's abuse of Doe 1 and other victims. The newly-filed litigation seeks to hold the board of directors of JP Morgan liable for breaching their fiduciary duties by failing to properly oversee JP Morgan's relationship with Epstein and JP Morgan's compliance with applicable banking laws and regulations, and thereby allowing JP Morgan's misconduct related to Epstein to occur.

Signature: s/ Rebecca Musarra Date: 05/09/2023  
Grant & Eisenhofer P.A.

Firm: \_\_\_\_\_