

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UFCW LOCAL 1500 WELFARE FUND,
*on its own behalf and on behalf of all
others similarly situated,*

Plaintiffs,

v.

THE NEW YORK AND
PRESBYTERIAN HOSPITAL,

Defendant.

Case No. 2:25-cv-05023-BMC

CEMENT AND CONCRETE WORKERS
DC BENEFIT FUND, *on its own behalf
and on behalf of all others similarly
situated,*

Plaintiffs,

v.

THE NEW YORK AND
PRESBYTERIAN HOSPITAL,

Defendant.

Case No. 1:25-cv-5571-BMC

**PLAINTIFF UFCW LOCAL 1500 WELFARE FUND’S RESPONSE TO PLAINTIFFS
CEMENT AND CONCRETE WORKERS DC BENEFIT FUND AND POINTERS,
CLEANERS AND CAULKERS LOCAL 1 WELFARE FUND’S MOTION TO APPOINT
FAIRMARK PARTNERS LLP, SUSMAN GODFREY LLP, ANND FARELLA BRAUN +
MARTEL LLP AS INTERIM CO-LEAD CLASS COUNSEL**

UFCW Local 1500 affirms its position that its Proposed Lead Slate – **DiCello-Garwin-Lieff** – is the team “best able to represent the interests of the class” in this case. Nothing in the Fairmark-Susman-Farella-Schirripa-Keller papers sufficiently challenges this position, and thus no response is necessary.

Dated: July 6, 2026

Respectfully submitted,

/s/ Gregory S. Asciolla

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Word Count Certification

Pursuant to Local Rule 7.1(c), I hereby certify that the total number of words in this motion, excluding the caption, table of contents, table of authorities, signature block, and word count certification, is 42 words.

/s/ Gregory S. Asciolla

Gregory S. Asciolla