

Lead Plaintiff Greater Pennsylvania Carpenters Pension Fund's ("Lead Plaintiff") motion for class certification was filed on December 21, 2018 (ECF No. 86), and has been fully briefed since May 8, 2019 (ECF No. 104). The motion was filed pursuant to the Court's scheduling order dated September 17, 2018 (ECF No. 71), which delayed merits discovery until after a ruling on class certification. Defendants requested an evidentiary hearing on April 19, 2019 (ECF No. 100) and the Court granted this request on August 1, 2019 (ECF No. 117). On January 13, 2020, the Court ordered the parties to mediation before the Honorable Royal Furgeson (ECF No. 118), and the parties conducted a mediation session via zoom on July 8, 2020. The mediation was not successful.

Lead Plaintiff respectfully submits that the evidentiary hearing requested by defendants is not required or necessary as prior to the completion of briefing, defendants took four depositions including the deposition of Lead Plaintiff's economic expert and Lead Plaintiff deposed defendants' economic expert. The transcripts from these depositions are part of the record submitted to the court along with the voluminous expert reports, exhibits and briefing. The parties chose not to file *Daubert* motions with respect to the oppositions' expert.

Because the evidentiary record regarding Lead Plaintiff's motion for class certification has been fully developed and no *Daubert* challenge has been filed, an evidentiary hearing will not enhance the record available to the Court in ruling on Lead Plaintiff's motion. In addition, due to the pandemic an evidentiary hearing is not practicable at this time. As a result of these circumstances, Lead Plaintiff hereby moves the Court to conduct oral argument on its motion for Class

Certification, via video conference, in lieu of an evidentiary hearing. This will allow the parties to obtain a ruling on class certification so that they can proceed to the next phase of this litigation.

DATED: July 31, 2020

Respectfully submitted,

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/s/ Balon B. Bradley

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Lead Counsel

CERTIFICATE OF CONFERENCE

I certify that on July 31, 2020, Lead Counsel conferred with counsel for Defendants regarding the substance of this motion. Defendants are opposed to the relief requested herein.

/s/ Balon B. Bradley

BALON B. BRADLEY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed with the Court's electronic case filing (ECF) system on July 31, 2020, which caused an electronic copy of this document to be served on all counsel of record in this matter who have registered for ECF service.

/s/ Balon B. Bradley

BALON B. BRADLEY