

No. 16-581

IN THE
Supreme Court of the United States

LEIDOS, INC.,

Petitioner,

v.

INDIANA PUBLIC RETIREMENT SYSTEM, INDIANA STATE TEACHERS'
RETIREMENT FUND, AND INDIANA PUBLIC
EMPLOYEES' RETIREMENT FUND,

Respondents.

**On Writ Of Certiorari
To The United States Court Of Appeals
For The Second Circuit**

**JOINT MOTION TO RECALENDAR ARGUMENT
AND STAY PROCEEDINGS**

Petitioner Leidos, Inc. and Respondents Indiana Public Retirement System, the Indiana State Teachers' Retirement Fund, and the Indiana State Public Employees' Retirement Fund respectfully move the Court to remove this case from the oral argument calendar and hold in abeyance any further proceedings to allow the parties to seek district court approval of the parties' agreement in principle to settle this litigation. In support of this motion, the parties jointly state as follows:

1. The Court granted certiorari on March 27, 2017. Merits briefing was completed in full on October 2, 2017. The case is currently set for oral argument on November 6, 2017.

2. The parties recently reached an agreement in principle to settle this dispute, and the parties are now preparing the settlement documentation. Because this is a putative class action under Rule 23 of the Federal Rules of Civil Procedure, the settlement will be subject to approval by the district court. *See* Fed. R. Civ. P. 23(e).

3. In the interest of conserving judicial resources, the parties jointly request that the Court remove the case from the oral argument calendar and hold in abeyance any further proceedings while the parties take the steps required to obtain settlement approval, including filing motions, issuing notices, and attending hearings as required. The parties will cooperate in an effort to obtain district court approval by no later than May 2018.

4. The parties will jointly advise the Court no later than May 31, 2018 whether a settlement has been approved. If the district court has granted final approval and entered judgment, then the parties will jointly move the Court for voluntarily dismissal of this case under Supreme Court Rule 46.1. If the district court has not granted final approval, then the parties will ask the Court to set the case for argument in October Term 2018.

Respectfully submitted.

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October 6, 2017

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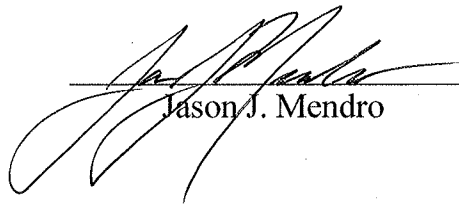
CERTIFICATE OF SERVICE

I hereby certify that I am a member in good standing of the bar of this Court and that on this 6th day of October, 2017, I caused one copy of the foregoing Motion to Recalendar Argument and Stay Proceedings to be served by UPS Overnight Mail on the counsel identified below, pursuant to Rule 29 of the Rules of this Court. All parties required to be served have been served.

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