

The Honorable Julie Spector
Noted for Hearing: May 17, 2011

SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

11	FUTURESELECT PORTFOLIO)	No. 10-2-30732-0-SEA
12	MANAGEMENT, INC., FUTURESELECT)	
13	PRIME ADVISOR II LLC, THE MERRIWELL)	PROPOSED ORDER
14	FUND, L.P., and TELESIS IIW, LLC,)	GRANTING DEFENDANT
15)	ERNST & YOUNG LLP'S
16	Plaintiffs,)	MOTION TO DISMISS
17)	
18	v.)	
19)	
20	TREMONT GROUP HOLDINGS, INC.,)	
21	TREMONT PARTNERS, INC.,)	
22	OPPENHEIMER ACQUISITION)	
23	CORPORATION; MASSACHUSETTS)	
24	MUTUAL LIFE INSURANCE CO.;)	
25	GOLDSTEIN GOLUB KESSLER LLP,)	
26	ERNST & YOUNG LLP and KPMG LLP,)	
27)	
	Defendants.)	

This matter came before the Court on Defendant Ernst & Young LLP's Motion to Dismiss or Stay. The Court has considered the Motion, the materials submitted in support of and in opposition to the Motion, and the arguments of counsel.

Based on the foregoing, the Court has determined that Plaintiffs' Complaint fails to state a claim against Ernst & Young LLP on which relief can be granted.

~~PROPOSED~~ ORDER GRANTING ERNST & YOUNG'S
MOTION TO DISMISS (No. 10-2-30732-0) - 1

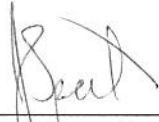
1 It is therefore ORDERED that the Court hereby:

2 1. GRANTS Defendant Ernst & Young LLP's Motion to Dismiss; and

3 2. DISMISSES Plaintiffs' claims against Ernst & Young LLP with prejudice, in

4 their entirety.

5 Dated 6/3, 2011.

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8 _____
9 The Honorable Julie Spector
10 Superior Court Judge

11 Presented by:

12 Davis Wright Tremaine LLP
13 Attorneys for Defendant Ernst & Young LLP

14 By: /s/ Stephen M. Rummage
15 Stephen M. Rummage, WSBA #11168

16 - and -

17 Morrison & Foerster LLP
18 Robert B. Hubbell (pro hac vice)

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28 ~~PROPOSED~~ ORDER GRANTING ERNST & YOUNG'S
29 MOTION TO DISMISS (No. 10-2-30732-0) - 2

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