

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

| | | |
|---|---|-------------------------------|
| SHANNON PRICE, Individually and on |) | |
| Behalf of All Others Similarly Situated and |) | |
| On Behalf of the EATON VANCE PROFIT |) | |
| SHARING AND SAVINGS PLAN, |) | Civil Action No. 18-12098-WGY |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| EATON VANCE CORPORATION, EATON |) | |
| VANCE MANAGEMENT, EATON VANCE |) | |
| INVESTMENT COMMITTEE, and DOES 1- |) | |
| 30, inclusive, |) | |
| |) | |
| Defendants. |) | |
| |) | |

**JOINT MOTION TO VACATE HEARING ON MOTION TO DISMISS AND
NOTICE OF SETTLEMENT IN PRINCIPLE**

Plaintiff Shannon Price, individually and on behalf of all others similarly situated and on behalf of the Eaton Vance Profit Sharing and Savings Plan (“Plaintiff”), and Defendants Eaton Vance Corp., Eaton Vance Management, Eaton Vance Investment Committee, and Does 1-30 (“Defendants”), notify the Court that they have reached an agreement in principle to settle this action on a class-wide basis and hereby request that the Court vacate the hearing now on the calendar for Defendants’ Motion to Dismiss For Failure to State A Claim Counts VII, VIII, and IX of the Complaint, currently set for March 25, 2019 at 2:00 pm at the Boston University Law School, and stay further proceedings in this action pending the parties’ submission of a motion for preliminary approval of the anticipated class settlement.

In support of this motion, the parties state:

1. The parties have reached an agreement in principle to settle this action on a class-wide basis.

2. The parties will work diligently to prepare and submit a motion for preliminary approval of the anticipated class settlement.
3. In the event that the parties are unable to reach a final agreement to settle this action, they will promptly notify the Court.
4. The parties request that the Court vacate the date now on the calendar for the March 25, 2019 Hearing on Motion to Dismiss For Failure to State A Claim Counts VII, VIII, and IX of the Complaint, and stay further proceedings in this action pending the parties' submission of a motion for preliminary approval of the anticipated class settlement. The parties anticipate that they will be in a position to make that submission to the Court within 45 days.

WHEREFORE, the parties jointly notify the Court of their agreement in principle to settle this action and request that the Court vacate all dates and deadlines now on the calendar, including the March 25, 2019 Hearing on Motion to Dismiss For Failure to State A Claim Counts VII, VIII, and IX of the Complaint, and stay further proceedings in this action pending the parties' submission of a motion for preliminary approval of the anticipated class settlement.

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Behalf of the Eaton Vance Profit Sharing
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