

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE HEARTWARE INTERNATIONAL,  
INC. SECURITIES LITIGATION

No. 1:16-cv-00520-RA

**NOTICE OF LEAD COUNSEL'S MOTION FOR AN AWARD OF  
ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 23(e) and 23(h) and this Court's Order Preliminarily Approving Settlement and Authorizing Dissemination of Settlement Notice filed December 12, 2018, and upon (a) the Declaration of John Rizio-Hamilton in Support of (I) Lead Plaintiff's Motion for Final Approval of Settlement and Plan of Allocation, and (II) Lead Counsel's Motion for an Award of Attorneys' Fees and Litigation Expenses; (b) the Memorandum of Law in Support of Lead Counsel's Motion for an Award of Attorneys' Fees and Litigation Expenses; and (c) all other papers and proceedings herein, Lead Counsel, will and does hereby move this Court, before the Honorable Ronnie Abrams, on April 12, 2019 at 11:45 a.m. in Courtroom 1506 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, or at such other location and time as set by the Court, for entry of an Order awarding attorneys' fees and litigation expenses. A proposed Order granting the requested relief will be submitted with Lead Counsel's reply papers after the deadline for objecting to the motion has passed.

Dated: March 8, 2019

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER  
& GROSSMANN LLP**

*/s/ John Rizio-Hamilton* \_\_\_\_\_

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