Stock Loans 2 — Settlement Summary

Last Modified on 10/02/2026 7:03 am EDT

Stock Loans 2 — Iowa Public Employees' Retirement System v. Bank of America Corp. (Merrill Lynch Certified Class)

Summary

This is an antitrust class action alleging that major prime broker banks — including Merrill Lynch — conspired to block the emergence of efficient all-to-all electronic trading platforms and data transparency products in the stock lending market, allowing them to maintain supracompetitive spreads. The case has **partially settled** as to some defendants (Goldman Sachs, Morgan Stanley, JPMorgan, UBS, and Credit Suisse); this specific website concerns the **non-settling defendant Merrill Lynch**, for which the court certified a class in December 2024 and trial proceedings are ongoing. No settlement or recovery is currently available against Merrill Lynch.

Announcements

- **April 10, 2025:** The Court entered its Order approving Notice to the Merrill Lynch-related Class. The Notice of Pendency of Class Action (NOP) has been issued to inform potential class members of the ongoing litigation against Merrill Lynch.
- **July 11, 2025:** Deadline for Class Members to exclude themselves (opt out) from the Merrill Lynch-related Class. This deadline has now passed as of the date of this article.
- **Important:** This website and article relate specifically to the *non-settling defendant Merrill Lynch*. Information about settlements with other Prime Broker Defendants (Goldman Sachs, Morgan Stanley, JPMorgan, UBS, Credit Suisse) can be found at www.StockLoanSettlements.com.
- **No claims process is currently open.** No money or benefits are available at this time. If a recovery is obtained against Merrill Lynch, Class Members will be notified on how to submit a claim.

Settlement Amount

Not yet available. This website pertains to the ongoing litigation against Merrill Lynch, which has **not settled**. No settlement fund has been established and no per-claimant estimate is available. If a judgment or settlement is reached, Class Members will be notified separately.

Class Period

January 1, 2012 through November 17, 2017 (inclusive).

Filing Deadline

There is **no claim filing deadline at this time** — no claims process is open. This is a Notice of Pendency, not a settlement notice. If and when a recovery is obtained, Class Members will receive further notice about how and when to submit a claim form. However, Class Members are advised to **retain all records of their Stock Loan Transactions now**, as documentation will likely be required when a claims process is opened.

Note: The deadline to **exclude yourself** from the Merrill Lynch-related Class was **July 11, 2025** (now passed).

Who Qualifies

The Class certified by the Court on December 6, 2024 consists of:

- All persons and entities who, **directly or through an agent**, entered into **at least 100 U.S. Stock Loan Transactions** as a **borrower** from the prime brokerage businesses of the U.S.-based entities of the Prime Broker Defendants; **OR**
- All persons and entities who, directly or through an agent, entered into **at least 100 U.S. Stock Loan Transactions** as a **lender of Hard-to-Borrow stock** to the U.S.-based entities of the Prime Broker Defendants;
- …in each case, during the Class Period (January 1, 2012 – November 17, 2017).

The relevant Prime Broker Defendants are: **Goldman Sachs, Morgan Stanley, JPMorgan, UBS, Credit Suisse, and Bank of America Merrill Lynch** (and their direct or indirect U.S.-based parents, subsidiaries, or divisions). For purposes of the Merrill Lynch-related Class, the relevant non-settling defendant entities are **Merrill Lynch, Pierce, Fenner & Smith Incorporated; Merrill Lynch L.P. Holdings, Inc.; and Merrill Lynch Professional Clearing Corp.**

There are two certified Subclasses:

- **End-User Subclass:** Class members who entered into at least 100 U.S. Stock Loan Transactions as a *borrower* from the prime brokerage businesses of the U.S.-based entities of the Prime Broker Defendants during the Class Period.
- **Beneficial Owner Subclass:** Class members who entered into at least 100 U.S. Stock Loan Transactions as a *lender of Hard-to-Borrow stock* to the U.S.-based entities of the Prime Broker Defendants during the Class Period.

Who Is Excluded

The following parties are excluded from the Class:

- All Defendants (Goldman Sachs, Morgan Stanley, JPMorgan, UBS, Credit Suisse, Bank of America / Merrill Lynch entities)
- Citadel LLC
- Two Sigma Investments
- PDT Partners
- Renaissance Technologies LLC
- TGS Management
- Voloridge Investment Management
- The D.E. Shaw Group
- Corporate parents, subsidiaries, and wholly owned affiliates of the above-named excluded entities
- Any federal governmental entity
- Any judicial officer presiding over this action
- Any juror assigned to this action

Additionally, any Class Member who timely submitted a valid Request for Exclusion by July 11, 2025 has been excluded from the Merrill Lynch-related Class.

How to File

No claims process is currently open. This notice is a Notice of Pendency only — the litigation against Merrill Lynch is ongoing and no settlement or judgment has been obtained. The following steps apply at this stage:

- **Step 1 — Do nothing for now (if you wish to remain in the Class):** If you did not exclude yourself by July 11, 2025, you remain a Class Member automatically. You do not need to take any action to preserve your right to potentially participate in a future recovery.

- **Step 2 — Preserve your records:** Retain all records of your Stock Loan Transactions during the Class Period (January 1, 2012 – November 17, 2017). Do *not* mail them to Class Counsel or the Notice Administrator at this time — simply keep them in your files. Documentation will likely be needed when a claims process opens.
- **Step 3 — Monitor for updates:** Status updates will be posted on the Class Website. Class Members will be notified if and when a recovery is obtained and a claims process is opened.
- **Step 4 — Consider retaining separate counsel (optional):** You may hire your own attorney at your own expense. If you do so, your attorney must file a Notice of Appearance with the Court and mail it to Class Counsel. Note: The deadline for attorney appearances was July 11, 2025.

For questions, contact the Notice Administrator at:

- **Email:** MerrillLynchCertifiedClass@StockLoanSettlements.com
- **Phone:** 1-888-890-9826 (Toll-Free)
- **Mail (exclusions only — deadline passed):** Iowa Public Employees' Retirement System v. Bank of America Corp. — EXCLUSIONS, c/o Epiq, PO Box 2057, Portland, OR 97208-2057

Defendants

The Prime Broker Defendants named in the action are:

- **Goldman Sachs** — settled (see www.StockLoanSettlements.com)
- **Morgan Stanley** — settled
- **JPMorgan** — settled
- **UBS** — settled
- **Credit Suisse** — settled
- **Bank of America / Merrill Lynch** (specifically: Merrill Lynch, Pierce, Fenner & Smith Incorporated; Merrill Lynch L.P. Holdings, Inc.; and Merrill Lynch Professional Clearing Corp.) — **non-settling; class certified for trial**

Alleged Conduct: Plaintiffs allege that the Defendants conspired to:

- Block and boycott new offerings that would have increased competition and improved the efficiency and transparency of the stock loan market, in violation of Section 1 of the Sherman Act (15 U.S.C. § 1);
- Prevent the emergence of all-to-all electronic trading platforms (e.g., platforms that would allow any party to trade directly with any other party);
- Use their collective influence over **EquiLend** — a platform jointly owned in substantial part by the Defendant banks — to ensure it never offered efficient all-to-all trading for stock loans;
- Boycott data products that would have provided more transparent pricing in the stock loan market;
- Maintain supracompetitive spreads between lenders and borrowers of stock, resulting in lenders receiving lower fees and borrowers paying higher fees than they would have in a competitive market.

Plaintiffs also allege unjust enrichment under common law. All Defendants deny the allegations and dispute that they did anything wrong.

Plaintiffs / Class Representatives:

- Iowa Public Employees' Retirement System
- Los Angeles County Employees Retirement Association
- Orange County Employees Retirement System
- Sonoma County Employees' Retirement Association
- Torus Capital, LLC

Case History

- **August 16, 2017:** Plaintiffs filed the original Complaint.

- **November 17, 2017:** Plaintiffs filed an Amended Complaint (also defines the end of the Class Period).
- **January 26, 2018:** Defendants moved to dismiss the Action.
- **September 27, 2018:** Court denied Defendants' motions to dismiss.
- **February 22, 2021:** Plaintiffs moved to certify the Action as a class action.
- **June 30, 2022:** Magistrate Judge Sarah L. Cave issued a Report and Recommendation recommending that the Court certify the proposed litigation class.
- **September 4, 2024:** Judge Failla granted final approval of certain settlements covering Goldman Sachs, Morgan Stanley, JPMorgan, UBS, and Credit Suisse. Merrill Lynch was *not* part of these settlements.
- **December 6, 2024:** Judge Failla issued an order certifying the Class for trial against non-settling defendant Merrill Lynch, with Class Period of January 1, 2012 – November 17, 2017.
- **April 10, 2025:** Court entered Order approving Notice to the Merrill Lynch-related Class (Notice of Pendency).
- **July 11, 2025:** Deadline for Class Members to exclude themselves from the Merrill Lynch-related Class (now passed).

Court: United States District Court for the Southern District of New York
Case No.: 17-cv-6221 (KPF) (SLC)

Source

- Settlement/Notice Website (Homepage): *URL not explicitly listed in source content; website operated by Epiq for the Merrill Lynch Certified Class*
- Related Settlements Website: www.StockLoanSettlements.com
- Notice Administrator Contact: MerrillLynchCertifiedClass@StockLoanSettlements.com | 1-888-890-9826

Last Updated

2026-10-02

Reviewer Flags

- **First draft.** No previous version exists in the knowledge base for this settlement.
- **Homepage** provided: class period, opt-out deadline (July 11, 2025), current status (April 10, 2025 court order), legal rights/options overview, and contact information.
- **FAQs page** provided: detailed class definition and subclasses, exclusion requirements and mailing address, case history (all key dates), description of alleged conduct, plaintiff list, defendant list, and explanation that no claims process is currently open.
- **Documents page** provided: list of available documents (Long Form Notice, Summary Notice, Order Providing for Notice, Order Certifying Class, Amended Complaint) but no document text was included in the source content. No additional substantive facts were extractable from this page.
- **Potential contradiction / time-sensitivity flag:** The opt-out deadline of July 11, 2025 has **already passed** as of the article date (2026-10-02). The article notes this clearly, but FRS staff should be aware that any client wishing to opt out is now likely too late unless the court has extended the deadline. Reviewer should confirm whether the opt-out deadline was extended or whether any subsequent case developments have occurred since July 2025.
- **Missing information:** The settlement website URL (homepage URL) was not explicitly stated in the source page content. The article references the site by description and provides the contact email/phone. Reviewer should add the direct URL if known.
- **No settlement amount or per-claimant estimate** is available because Merrill Lynch has not settled — this is a Notice of Pendency for ongoing litigation, not a settlement notice. This is consistent and not contradictory.
- **Note for FRS operations:** Because no claims process is currently open, there is no action FRS can take on

behalf of clients at this time other than flagging the case for future monitoring and ensuring clients preserve their Stock Loan Transaction records from January 1, 2012 – November 17, 2017.