

(2005)(establishing that an objector need only be a member of the class, and not a party to the litigation, to object or appeal approval of a settlement). No intervention or application for admission *pro hac vice* is necessary to file an objection, and it makes no sense to require one to respond to Settling Plaintiffs' filing. Requiring objectors to file *pro hac vice*, which includes having to obtain local counsel plus a court fee of \$275.00, would erect new cost burdens to frustrate the objection process.

3. Settling Plaintiffs also argue Mr. Tanner's Response should be stricken for not seeking leave to file it under the local rules. While Mr. Tanner did not initially intend to file a Response to Settling Plaintiffs' anticipated Reply to objections, several of Settling Plaintiffs' contentions required a response, such as Settling Plaintiffs' accusation that Mr. Tanner's objection was untimely filed with the court, reiterated false accusations of attorney misconduct, as well as Settling Plaintiffs' gross mischaracterizations of Mr. Tanner's substantive objections. Given the short amount of time between the filing of Settling Plaintiffs' Reply and the Fairness Hearing, we felt it critical that the Court receive a response to Settling Plaintiffs' contentions as quickly as possible.

4. In any event, we do request the Court's leave to respond on the merits of the objection, because our Response articulates precisely how Settling Plaintiffs' position was inaccurate on the merits.

5. In the interest of justice and for the benefit of the Class, Mr. Tanner requests that this Court deny Settling Plaintiffs' Motion to Strike and consider all relevant information, including Mr. Tanner's Objection and Response, when evaluating the Settlement. After all, it is the substantive merits of the Settlement, the objections and the interests of the Class which

should govern, not the artificial obstacles or personal attacks Settling Plaintiffs seem determined to deploy to preclude *bona fide* objections on the merits.

Respectfully submitted,

Dated: December 18, 2012

/s/ Clinton A. Krislov
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