Docket #0234 Date Filed: 7/28/2014

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE: TELEXFREE MARKETING PRACTICES LITIGATION	MDL Docket No. 2566

RESPONSE AND NOTICE OF NON-OBJECTION OF DEFENDANTS WADDELL & REED FINANCIAL, INC. AND WADDELL & REED, INC. TO PLAINTIFFS' MOTION FOR TRANSFER OF ACTIONS TO THE DISTRICT OF MASSACHUSETTS PURSUANT TO 28 U.S.C. § 1407

Defendants Waddell & Reed Financial, Inc. and Waddell & Reed, Inc. (collectively, "Waddell & Reed") hereby notify the Panel that Waddell & Reed does not object to the transfer of all actions identified in Schedule A to Plaintiffs' Motion for Transfer of Actions to the District of Massachusetts Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceedings filed on July 1, 2014 (Dkt. No. 1).

Notwithstanding its non-objection to transfer of the actions identified in Schedule A, Waddell & Reed disputes the merits of the allegations asserted in the complaint filed in *Githere v. TelexElectric LLLP, et al.*, Case No. 1:14-cv-12825-GAO and other related actions sought to be transferred and hereby reserves all rights, defenses and claims or counterclaims Waddell & Reed may have in response to such actions.

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Dated: July 23, 2014

Respectfully submitted

/s/ Dennis J. Kelly
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4841-2153-8588.1

Attachment

Ferguson v. TelexElectric, LLLP, Eastern District of North Carolina (Western Div.), No. 5:14-cv-00316-D

Guevara v. Merrill, Southern District of Florida, No. 1:14-cv-22405-KMM

Cellucci v. TelexFree, U.S. Bankruptcy Court for the District of Massachusetts, Adversary Proceeding No. 14-04057

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2014 this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent via first-class mail to all other parties, listed below:

RE: *Ferguson v. TelexElectric, LLLP*, Eastern District of North Carolina (Western Div.), No. 5:14-cv-00316-D

Clerk of Court
United States District Court
Eastern District of North Carolina
310 New Bern Avenue
Raleigh, NC 27601

RE: *Guevara v. Merrill*, Southern District of Florida, No. 1:14-cv-22405-KMM

Clerk of Court
United States District Court
Southern District of Florida
400 North Main Miami Avenue
Miami, FL 33128

Adriana Contartese, Esq.
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RE: *Cellucci v. TelexFree*, U.S. Bankruptcy Court for the District of Massachusetts, Adversary Proceeding No. 14-04057

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Vantage Payments, LLC
8300 N. Hayden Road #A207
Scottsdale, AZ 85251

Dated: July 23, 2014

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4830-0598-5308.1