

ROBBINS | RUSSELL

Robbins, Russell, Englert, Orseck & Untereiner LLP

Lawrence S. Robbins

202.775.4501

lrobbins@robbinsrussell.com

January 5, 2022

Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: *Marc S. Kirschner v. Dennis J. FitzSimons, et al.*

Dear Mr. Harris:

As attorney for the petitioner in the above-captioned case, I hereby notify you pursuant to Supreme Court Rule 12.6 that it is my belief that the parties listed in the appendix to this letter, who were parties to this proceeding in the United States Court of Appeals for the Second Circuit, have no interest in the outcome of the petition for certiorari filed by this petitioner to the Supreme Court of the United States.

Respectfully submitted,

/s/ Lawrence S. Robbins

Lawrence S. Robbins
Counsel for Petitioner

ROBBINS | RUSSELL

Appendix

American Century Investment Management Inc. S&P 500 Equity Index Fund

AQR Absolute Return Master Account, L.P.

AQR Capital Management LLC

AQR Global Stock Selection HV Master Account Ltd.

AQR Global Stock Selection Master Acct LP

AQR R. C. Equity Australia Fund

BlackRock Advisors (UK) Ltd. f/k/a Barclays Global Investors. Ltd.

BlackRock Debt Strategies Fund, Inc. a/k/a DSU

BlackRock Institutional Trust Company, N.A.

BlackRock North American Equity Tracker Fund Trust Accounts, Bank of New York Europe

Ltd, RBS, Trustee

BlackRock S&P 500 Index V.I. Fund (Ins-Var Ser)

BlackRock S-P 500 Index Series Master

BlackRock, Inc. (Merrill Lynch)

Boston Partners Asset Management

Capital One Bank (USA), National Association - Marshall & Ilsley Trust Co.

Caterpillar Inc.

Charles Schwab & Co, Inc.

Charles Schwab Investment Management, Inc.

College Retirement Equities Fund - Equity Index Account

College Retirement Equities Fund - Global Equities Account

ROBBINS | RUSSELL

College Retirement Equities Fund - Social Choice Account

College Retirement Equities Fund - Stock Account

Conservative Balanced Portfolio, a Series of Prudential Series Fund, Inc.

Credit Suisse Capital LLC

Credit Suisse Securities (USA) LLC

Credit Suisse Securities (USA) LLC f/k/a Credit Suisse First Boston LLC

Deutsche Bank Securities Inc.

Deutsche Bank Securities Inc. - DB AG Equity Swaps Offshore Consolidated Account I

DFA Investment Dimensions Group Inc. -- U.S. Core Equity 1 Portfolio

DFA Investment Dimensions Group Inc. -- U.S. Core Equity 2 Portfolio

DFA Investment Dimensions Group Inc. -- U.S. Vector Equity Portfolio

DFA Investment Dimensions Group Inc. -- VA U.S. Large Value Portfolio

DFA U.S. Core Equity Fund of Dimensional Funds

DFA US Vector Equity Fund of Dimensional Funds

DWS Equity 500 Index Portfolio, DWS Institutional Funds, DWS Investment Trust, DWS

Investments VIT Funds, DWS Variable Series II

DWS Equity 500 Index VIP (DWS Investments Account Bos05-0702)

Eaton Vance Multi Cap Growth Portfolio

Eaton Vance Tax Managed Global Buy-Write Opportunities Fund, Alan R. Dynner, Trustee

Eaton Vance Tax Managed Growth Portfolio

Eaton Vance Tax Managed Multi-Cap Growth Portfolio

Federated Capital Appreciation Fund II f/k/a Federated Clover Value Fund II

ROBBINS | RUSSELL

Federated Capital Income Fund, Inc.

Federated Clover Value Fund f/k/a Federated American Leaders Fund

Federated Equity Income Fund, Inc.

Federated Investors Inc.

Federated Managed Volatility Fund II f/k/a Federated Capital Income Fund II

Federated Managed Volatility Fund II f/k/a Federated Capital Income Fund II f/k/a Federated
Equity Income Fund II

Federated Max-Cap Index Fund

Federated MTD Stock Trust, Current Trustee

Federated Muni and Stock Advantage Fund

Fidelity Advisor Leveraged Company Stock Fund, A Series of Fidelity Advisor Series I

Fidelity Commonwealth Trust, Abigail P. Johnson, Trustee

Fidelity Concord Street Trust

Fidelity Concord Street Trust (Spartan U.S. Equity Index Fund), Current Trustee

Fidelity Leveraged Company Stock Fund, A Series of Fidelity Securities Fund

Fidelity US Equity Index Commingled Pool Fidelity

First Eagle Contrarian Value Master Fund, Ltd.

Goldman Sachs Variable Insurance Trust, Current Trustee

Invesco Equally-Weighted S&P 500 Fund f/k/a Morgan Stanley Equally-Weighted S&P 500
Fund

Invesco S&P 500 Index Fund

Invesco S&P 500 Index Fund f/k/a MS S&P 500 Index Fund

ROBBINS | RUSSELL

Invesco V.I. Select Dimensions Equally-Weighted S&P 500 Fund

iShares Dow Jones U.S. Consumer Services Sector Index Fund

iShares Dow Jones U.S. Total Market Index Fund

iShares Morningstar Mid Value Index Fund

iShares Russell 1000 Index Fund

iShares Russell 1000 Value Index Fund

iShares Russell 3000 Index Fund

iShares Russell 3000 Value Index Fund

iShares Russell Midcap Index Fund

iShares Russell Midcap Value Index Fund

iShares S&P 500 Index Fund

iShares S&P 500 Value Index Fund

JP Morgan Mosaic Fund, LLC

JPMorgan Trust II

MetLife Stock Index Portfolio

Neuberger Berman Inc.

Nuveen Equity Index Fund

Nuveen Equity Index Fund f/k/a First American Equity Index, Inc.

Nuveen Equity Index Fund f/k/a Firststar Equity Index Fund

Oppenheimer & Co., Inc.

Oppenheimer Main Street Select Fund f/k/a Oppenheimer Main Street Opportunity Fund

ROBBINS | RUSSELL

Oppenheimer Main Street Small- & Mid-Cap Fund f/k/a Oppenheimer Main Street Small Cap Fund

Oppenheimer Variable Account Funds d/b/a Oppenheimer Main Street Small- & Mid-Cap Fund/VA, f/k/a Oppenheimer Main Street Small Cap Fund/VA

OppenheimerFunds

OppenheimerFunds, Inc

Principal Funds Inc-LargeCap Blend Fund II

Principal Variable Contracts Funds Inc.-Large Cap Blend Account II

Prudential Investment Management, Inc.

Prudential Investment Portfolios 3 (Prudential Strategic Value Fund)

Prudential Investment Portfolios 8 - Prudential Stock Index Fund f/k/a Dryden Index Series Fund

Prudential Investment Portfolios 8 (Prudential Stock Index Fund)

Prudential Investments LLC

Putnam S&P 500 Fund

Putnam S&P 500 Index Fund, Putnam Fiduciary Trust Company, Trustee

SC BlackRock Small Cap Index Fund f/k/a SC Oppenheimer Main Street Cap Fund

Schwab 1000 Index Fund

Schwab Fundamental US Large Company Index Fund a/k/a Schwab Fundamental US Large Company

Schwab S&P 500 Index Fund (2M32)

Schwab S&P 500 Index Fund f/k/a Schwab Institutional Select S&P 500 Fund (2M37)

Schwab Total Stock Market Index Fund (2M40)

ROBBINS | RUSSELL

SPDR S&P 500 ETF

SPDR S&P Midcap 400 ETF Trust a/k/a SPDR Midcap 400 Trust, The Bank of New York Mellon, Trustee

SSGA IAM Shares Fund (State Street Global Advisors)

SSGA Japan Co Ltd (State Street Global Advisors)

SSGA S&P 500 Index Fund

SSGA S&P 500 Index Fund CTF

SSGA World Funds

State Street Global

State Street Global Advisors Fund

State Street Global Advisors Index Funds SICAV

State Street Global Advisors, Inc.

State Street Global Advisors, Inc. - Russell 1000 Value CTF

Stock Index Portfolio, a Series of the Prudential Series Fund, Inc.

T. Rowe Price

T. Rowe Price Associates a/k/a Spinningrod & Co

T. Rowe Price Associates, Inc.

T. Rowe Price Balanced Fund - Large Cap Core Fund, Inc.

T. Rowe Price Balanced Fund, Inc.

T. Rowe Price Capital Opportunity Fund, Inc.

T. Rowe Price Dividend Growth Fund, Inc. a/k/a Sherbet + Co

T. Rowe Price Equity Income Fund a/k/a Taskforce & Co

ROBBINS | RUSSELL

T. Rowe Price Equity Income Portfolio
T. Rowe Price Equity Income Trust
T. Rowe Price Equity Index Trust
T. Rowe Price Equity Series, Inc. a/k/a Foulard and Co
T. Rowe Price Index Trust, Inc. (T. Rowe Price Equity Index 500 Fund)
T. Rowe Price Index Trust, Inc. (T. Rowe Price Total Equity Market Index Fund)
T. Rowe Price International
T. Rowe Price Mid-Cap Value Fund, Inc.
T. Rowe Price Structured Research Trust, T Rowe Price Trust Company, Trustee
Thrivent Financial for Lutherans f/k/a Lutheran Brotherhood
Thrivent Series Fund, Inc., Thrivent Balanced Portfolio
Thrivent Series Fund, Inc., Thrivent Large Cap Index Portfolio
TIAA - Separate Account VA-1 Stock Index Account
TIAA-CREF Funds
TIAA-CREF Funds TIAA-CREF Equity Index Fund
TIAA-CREF Funds TIAA-CREF Large Cap Value Index Fund
TIAA-CREF Funds TIAA-CREF Mid-Cap Blend Index Fund
TIAA-CREF Funds TIAA-CREF Mid-Cap Value Index Fund
TIAA-CREF Funds TIAA-CREF S&P 500 Index Fund
TIAA-CREF Funds TIAA-CREF Social Choice Equity Fund
TIAA-CREF Institutional Mutual Funds
USAA Investment Management Company

ROBBINS | RUSSELL

USAA Mutual Fund Inc. (USAA Income Stock Fund)

USAA Mutual Fund, Inc.

USAA Mutual Funds Trust, Current Trustee

Vanguard Fenway Funds (Vanguard Equity Income Fund)

Vanguard Fiduciary Trust Company (Employee Benefit Index Fund)

Vanguard Fiduciary Trust Company (Russell 1000 Index Trust)

Vanguard Fiduciary Trust Company (Vanguard Company Stock 21)

Vanguard Fiduciary Trust Company (Vanguard Total Stock Market Index Fund)

Vanguard Fiduciary Trust Company, as Trustee of Its Sponsored and Managed Collective
Investment Funds

Vanguard Index Funds (Vanguard Index 500 Fund)

Vanguard Index Funds (Vanguard Large Cap Index Fund)

Vanguard Index Funds (Vanguard Mid-Cap Index Fund)

Vanguard Index Funds (Vanguard Mid-Cap Value Index Fund)

Vanguard Index Funds (Vanguard Total Stock Market Index Fund)

Vanguard Index Funds (Vanguard Value Index Fund)

Vanguard Institutional Index Funds (Vanguard Institutional Index Fund)

Vanguard Institutional Index Funds (Vanguard Institutional Total Stock Market Index Fund)

Vanguard Malvern Funds (Vanguard Asset Allocation Fund)

Vanguard Quantitative Funds (Vanguard Growth & Income Fund)

Vanguard Quantitative Funds (Vanguard Structured Large-Cap Equity Fund)

Vanguard Scottsdale Funds (Vanguard Fiduciary Trust Company, Russell 1000 Value)

ROBBINS | RUSSELL

Vanguard Tax-Managed Funds (Vanguard Tax Managed Growth & Income Fund)

Vanguard Valley Forge Funds (Vanguard Balanced Index Fund)

Vanguard Variable Insurance Funds (Vanguard VVIF Equity Fund Index)

Vanguard Variable Insurance Funds (Vanguard VVIIF Midcap Index Fund)

Vanguard Variable Insurance Funds (VVIF-Equity Income VGI)

Vanguard Whitehall Funds (Vanguard High Dividend Yield Index Fund)

Vanguard Windsor Funds (Vanguard Windsor II Fund)

Vanguard World Funds (Vanguard Consumer Discretionary Index Fund)

Vanguard World Funds (Vanguard FTSE Social Index Fund)

Wells Fargo Advantage Asset Allocation Fund

Wells Fargo Advantage Diversified Stock Portfolio

Wells Fargo Advantage Index Portfolio

Wells Fargo Bank, N.A.

Wells Fargo Bank, N.A. f/k/a Wachovia Bank, N.A.

Wells Fargo Bank, N.A. f/k/a Wachovia Bank, N.A. CMC-Northeast

Wells Fargo Funds Trust (Disciplined Small-Mid Value)

Wells Fargo Funds Trust (Evergreen Market Index Fund)

Wells Fargo Funds Trust (Evergreen Market Index Value)

Wells Fargo Investments, LLC