

**NORTH DAKOTA STATE INVESTMENT BOARD  
SECURITIES LITIGATION COMMITTEE  
MINUTES OF THE APRIL 10, 2023, MEETING**

**MEMBERS PRESENT:** Joseph Heringer, Commissioner Univ. & School Lands, Chair  
Claire Ness, Attorney General's Office  
Art Thompson, Director of WSI

**STAFF PRESENT:** Scott Anderson, CIO  
Jan Murtha, Executive Director  
Emmalee Riegler, Contracts/Records Admin.  
Ryan Skor, CFO/COO

**GUESTS:** Nate Bear, DiCello Levitt LLP  
Dean DePountis, Attorney General's Office  
Roxanna Pierce, DiCello Levitt LLP

**CALL TO ORDER:**

Commissioner Heringer called the State Investment Board (SIB) Securities Litigation Committee (SLC) special meeting to order at 1:04 p.m. on Monday, April 10, 2023. The meeting was held virtually.

**AGENDA:**

**IT WAS MOVED BY MR. THOMPSON AND SECONDED BY MS. NESS AND CARRIED BY A VOICE VOTE TO APPROVE THE AGENDA FOR THE APRIL 10, 2023, MEETING.**

**AYES: MS. NESS, MR. THOMPSON, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

**SECURITIES LITIGATION CASE UPDATE:**

Daimler Case:

Attorney Roxanna Pierce approached staff and shared changes that occurred at the firm of Robbins Geller that are impactful to the representation of the SIB in this matter. She has been invited to present in executive session and discuss the firm changes and the decision that now needs to be made by this committee with regards to continuing representation on the Daimler matter.

**IT WAS MOVED BY MS. NESS AND SECONDED BY MR. THOMPSON AND CARRIED BY A ROLL CALL VOTE TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL AND PRIVILEGED ATTORNEY CLIENT CONSULTATION PURSUANT TO NDCC 44-04-17.1(4), NDCC 44-04-19.1, AND NDCC 44-04-19.2.**

**AYES: MS. NESS, MR. THOMPSON, AND COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

The executive session started at 1:10 p.m. and ended at 1:27 p.m. and was attended by Committee members, Staff, Mr. Bear, Mr. DePountis, and Ms. Pierce.

**IT WAS MOVED BY MR. THOMPSON AND SECONDED BY MS. NESS AND CARRIED BY A ROLL CALL VOTE FOR THE STATE INVESTMENT BOARD TO ELECT FUTURE REPRESENTATION BY ATTORNEYS ROXANNA PIERCE, NATHAN BEAR, AND THEIR TEAM AT THEIR NEW FIRM DICELLO LEVITT IN THE DAIMLER CASE.**

**AYES: MR. THOMPSON, MS. NESS, COMMISSIONER HERINGER**

**NAYS: NONE**

**MOTION CARRIED**

**ADJOURNMENT:**

With no further business to come before the SLC, Commissioner Heringer adjourned the meeting at 1:30 p.m.

Prepared by,

Emmalee Riegler  
Assistant to the Board