

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DARYA DEARING, JANICE GULLICK,)
NELSON SIEVERS and LAUREN)
BROWN, individually and as)
representatives of a class)
of similarly situated persons,)
on behalf of the IQVIA)
401 (K) Plan,)
)
Plaintiffs,)
)
v.) 1:20-cv-574
)
IQVIA INC., THE BOARD OF)
DIRECTORS OF IQVIA HOLDINGS,)
INC., THE BENEFITS INVESTMENT)
COMMITTEE, and JOHN DOES No.)
1-20, Whose Names Are)
Currently Unknown,)
)
Defendants.)

ORDER

For the reasons stated on the record following oral
argument on August 9, 2023,

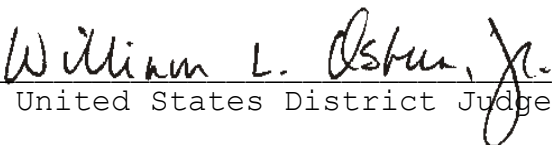
IT IS ORDERED that Defendant's Motion for Summary Judgment,
(Doc. 69), is **GRANTED IN PART** and **DENIED IN PART**. The motion is
granted as to Plaintiffs' claims for breach of the duty of
loyalty, injunctive relief, and any claim of damages arising
from the offering of the Prudential Jennison Mid Cap Growth
Fund. The motion is denied as to claims of damages as to
Fidelity Freedom target-date funds and the Columbia Acorn USA
Fund. This denial is without prejudice to further consideration

of causation as described in the court's order for further briefing.

IT IS FURTHER ORDERED that Defendants' Motion to Exclude the Expert Reports and Testimony of Martin Dirks, (Doc. 85), and Defendants' Motion to Exclude the Expert Reports and Testimony of W. Scott Simon, (Doc. 89), are **DENIED**.

IT IS FURTHER ORDERED that Plaintiffs and Defendants shall submit further briefing on the issues raised by the court following argument. The briefing shall include the filing of opening and reply briefs. The opening briefs shall be filed by the parties within 30 days of August 9, 2023, on or before September 8, 2023. Reply briefs shall be filed with 21 days thereafter, on or before September 29, 2023. No further briefs shall be permitted except by order of this court.

This the 10th day of August, 2023.


United States District Judge