

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

Kathi Cooper, Individually and on Behalf of All Those Similarly Situated,)	
)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 99-829 GPM
)	
The IBM Personal Pension Plan, and IBM Corporation,)	
)	
)	CLASS ACTION
Defendants.)	

REQUEST TO DELAY ISSUANCE OF REMEDY ORDER

The parties are currently engaged in discussions to determine whether they can resolve some of the remedies issues and/or claims now before the Court, not including, however, the question of the lawfulness of the cash balance formula. Accordingly, the parties request that the Court delay issuing its Order with respect to the remedies issues and the remaining issues of liability.

Respectfully submitted,

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September 17, 2004

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CERTIFICATE OF SERVICE

I hereby certify that this 17th day of September, 2004, I electronically filed the foregoing with the Clerk of Court using the CM/ECT system which will send notification of such filings to the following:

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