

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 12-2056

Ronald C. Tussey, et al.

Appellees

v.

ABB, Inc., et al.

Appellants

Fidelity Management Trust Company and Fidelity Management & Research Company

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Securities Industry and Financial Markets Association

Amicus on Behalf of Appellant(s)

AARP and Barbara Jean Black

Amici on Behalf of Appellee(s)

Thomas E. Perez, Secretary of the United States Department of Labor

Amicus Curiae

Tamar Frankel and David Webber

Amici on Behalf of Appellee(s)

No: 12-2060

Ronald C. Tussey, et al.

Appellees

v.

ABB, Inc., et al.

Fidelity Management Trust Company and Fidelity Management & Research Company

Appellants  
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AARP, et al.

Amici on Behalf of Appellee(s)

No: 12-3794

Ronald C. Tussey, et al.

Appellees

v.

ABB, Inc., et al.

Fidelity Management Trust Company and Fidelity Management & Research Company

Appellants

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AARP, et al.

Amici on Behalf of Appellee(s)

No: 12-3875

Ronald C. Tussey, et al.

Appellees

v.

ABB, Inc., et al.

Appellants

Fidelity Management Trust Company and Fidelity Management & Research Company

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AARP

Amicus on Behalf of Appellee(s)

Thomas E. Perez, Secretary of the United States Department of Labor

Amicus Curiae

Barbara Jean Black, et al.

Amici on Behalf of Appellee(s)

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Appeal from U.S. District Court for the Western District of Missouri - Jefferson City  
(2:06-cv-04305-NKL)  
(2:06-cv-04305-NKL)  
(2:06-cv-04305-NKL)

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**ORDER**

The petitions for rehearing en banc are denied. The petitions for rehearing by the panel are also denied.

May 20, 2014

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans