

4. In accordance with the Order entered December 8, 2004, all claims against Canary Capital Partners, LLC, Canary Capital Partners, Ltd., Canary Investment Management, LLC and Edward J. Stern are stayed;

5. The motions are granted as to all remaining Federal and state claims, and those claims are dismissed without leave to amend, against: Sun Life Financial, Inc., Massachusetts Financial Services, Company, MFS Fund Distributors, Inc., MFS Service Center, Inc., John W. Ballen, Kevin R. Parke, Jeffrey L. Shames, Lawrence H. Cohn, William R. Gutow, Atwood Ives, Abby M. O'Neill, Lawrence T. Perera, William J. Poorvu, J. Dale Sherratt, Elaine R. Smith, Ward Smith, Hon. Sir. J. David Gibbons, Arnold D. Scott, David B. Stone, Bank of America, Corporation, Banc of America Securities LLC, Aurum Securities Corporation, Aurum Capital Management Corporation, Trautman Wasserman & Company, Inc., Pritchard Capital Partners, LLC, and Salomon Smith Barney, Inc.

J. Frederick Motz
United States District Judge