

FILED: April 20, 2026

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1385

KELLY MILLIGAN, on behalf of himself and all others similarly situated,

Plaintiff – Appellant,

v.

MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.; BANK OF AMERICA
CORPORATION,

Defendants – Appellees,

and

JOHN/JANE DOE 1, the Senior Vice President-Human Resources Global Banking
and Global Wealth and Investment Management Administration at Bank of
America Corp.,

Defendant.

SOCIETY FOR HUMAN RESOURCE MANAGEMENT; THE CHAMBER OF
COMMERCE OF THE UNITED STATES OF AMERICA; THE CENTER ON
EXECUTIVE COMPENSATION; THE AMERICAN BENEFITS COUNCIL;
THE ERISA INDUSTRY COMMITTEE; SECURITIES INDUSTRY AND
FINANCIAL MARKETS ASSOCIATION,

Amici Supporting Appellee.

O R D E R

The court amends its opinion filed April 17, 2026, as follows:

On page 2, in the attorney information section, the name of counsel for Amicus Society for Human Resource Management is corrected to read “Jules A. Levenson.”

For the Court

/s/ Nwamaka Anowi, Clerk