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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EDWARD VALDEZ, ALAN
BONEBRAKE, BYRON GRIFFITH,
MARY HUEBNER, JOSE
MARQUEZ, BRITTANY SANCHEZ,
GERARDO VALDEZ, AUSTIN
MUHS, and KAYLA VALDEZ,
Individually, on Behalf of Themselves
and Others Similarly Situated,

 Plaintiffs,

v.

QUANTCAST CORPORATION,
MYSPACE, INC.; AMERICAN
BROADCASTING COMPANIES,
INC.; ESPN, INC.; HULU, LLC.;
JIBJAB MEDIA, INC.; MTV
NETWORKS, INC.; NBC
UNIVERSAL, INC.; and SCRIBD,
INC.; Delaware Corporations,

 Defendants.

CASE NO.: 2:10-cv-05484-GW

**[Proposed] ORDER TO
CONSOLIDATE AND CREATE
ORGANIZATIONAL STRUCTURE
FOR COUNSEL**

Pursuant to the stipulation between and among the parties, and good cause
appearing therefore, the Court orders as follows:

1 **I. CONSOLIDATION AND TREATMENT OF SUBSEQUENT ACTIONS**

2
3 1. The Court finds that *Valdez, et al. v. Quantcast Corporation, et al.*, Case
4 No. 2:10-cv-05484-GW (C.D. Cal. filed July 23, 2010) and *Aguirre v. Quantcast*
5 *Corporation, et al.*, Case No. 2:10-cv-05716-GW (C.D. Cal filed July 30, 2010) are
6 related actions and such cases are hereby consolidated into *Valdez, et al. v. Quantcast*
7 *Corporation, et al.*, Case No. 2:10-cv-05484-GW, and are referred to herein as the
8 Consolidated Action. Each document filed by a party to this litigation shall bear the
9 following caption:

10 _____
11 In Re Quantcast Advertising Cookie Litig. No. 2:10-cv-05716-GW
12 _____

13
14 2. The terms of this Order shall apply to actions instituted in, removed to,
15 or transferred to this Court that involve the same or substantially similar issues of law
16 and fact, which shall be consolidated into the Consolidated Action., unless a party in
17 such newly-filed or transferred action objects to consolidation, as provided for herein,
18 or any provision of this Order, within ten (10) days after the date upon which a copy
19 of this Order is served on counsel for such party, by filing an application for relief
20 and this Court deems it appropriate to grant such application.

21
22 3. Counsel shall call to the attention of the Court and the Clerk the filing or
23 transfer of any case that might properly be consolidated with the Consolidated
24 Action. Mailing or other delivery of a copy of this Order by Defendants' counsel or
25 Plaintiffs' Counsel (see II., below), as appropriate, to the counsel in any newly filed
26 or transferred actions shall constitute valid notice thereof for purposes of establishing
27 its applicability to such action in accordance herewith.

1 4. No later than twenty (20) days after entry of this Case Management
2 Order, Interim Class Counsel shall file a Consolidated Amended Complaint. No
3 defendant in the Actions shall be required to respond to any currently filed complaint
4 in the Actions.

5
6 5. Quantcast Corporation shall answer or move against the Consolidated
7 Amended Complaint within thirty (30) days after the filing of such Consolidated
8 Amended Complaint. Should Quantcast Corporation move to dismiss the
9 Consolidated Amended Complaint, Interim Class Counsel shall file an opposition no
10 later than the forty-fifth (45) day after the date on which the motion to dismiss was
11 filed, and Quantcast Corporation will file a reply memorandum no later than the
12 twenty-first (21) day after the filing of the opposition.

13
14 6. Any defendants named in the Consolidated Amended Complaint, other
15 than Quantcast Corporation, will answer or move against the Consolidated Amended
16 Complaint either (a) thirty (30) days after Quantcast Corporation answers the
17 Consolidated Amended Complaint; or (b) should Quantcast Corporation move to
18 dismiss the Consolidated Amended Complaint rather than answering, thirty (30) days
19 after the Court enters a decision respecting Quantcast Corporation's motion to
20 dismiss. Until such time as those other defendants answer or move against the
21 Consolidated Amended Complaint, the case against them shall be considered stayed
22 for all purposes.

23
24 7. Defendant Quantcast Corporation and Plaintiffs shall serve their Initial
25 Disclosures within fourteen (14) days of the filing of Quantcast Corporation's answer
26 or responsive pleading to the Consolidated Amended Complaint.

1 9. The Parties will submit a proposed Alternative Dispute Resolution
2 program within 30 days of the filing of the Consolidated Amended Complaint.

3 **II. ORGANIZATION OF PLAINTIFFS' COUNSEL**

4
5 1. Under Federal Rule of Civil Procedure 23(g)(2), inter alia, Interim Class
6 Counsel shall be KamberLaw, LLC (see Firm Resume attached hereto). Interim
7 Class Counsel, acting on behalf of plaintiffs, shall have the duties as set forth in the
8 Manual for Complex Litigation, 3rd ed., including the following:

- 9 a. To coordinate all proceedings, including preparing, structuring, and
10 presenting pretrial and other management-related orders;
- 11 b. To encourage full cooperation and efficiency among all counsel;
- 12 c. To create any necessary committees and appoint committee chairs and
13 otherwise delegate responsibilities for specific tasks in a manner to assure that
14 pretrial and trial preparation is conducted effectively, efficiently, and economically;
- 15 d. To delegate work responsibilities and monitor the activities of counsel to
16 ensure that schedules are met and unnecessary expenditures of time and
17 expense are avoided;
- 18 e. To act as spokespersons at all court conferences;
- 19 f. To call meetings of themselves and/or other counsel as appropriate or
20 necessary from time to time;
- 21 g. To initiate and conduct settlement negotiations with counsel for the
22 Defendants;
- 23 h. To determine Plaintiffs position on all matters arising during this
24 litigation (after such consultation with other counsel as they deem appropriate)
25 and present such position orally and/or in writing to the Court and opposing
26 parties;
- 27 i. To consult with and employ experts, as necessary;
- 28 j. To initiate, coordinate and conduct discovery;

- 1 k. To represent Plaintiffs at trial and on any appeal of this matter;
2 l. To negotiate and execute agreements with local counsel or other
3 cooperating attorneys;
4 m. To determine the fee that local counsel and liaison counsel are entitled
5 to; and
6 n. To perform such other duties as are necessary in connection with the
7 prosecution of this litigation.

8
9 2. Interim Class Counsel shall be the contact between plaintiffs' counsel
10 and defendants' counsel as well as the spokespersons for plaintiffs' counsel. All
11 agreements reached with Interim Class Counsel shall be binding on all other
12 plaintiffs' counsel in the Consolidated Action.

13
14 3. Interim Class Counsel are hereby designated as the counsel for plaintiffs
15 in the Consolidated Action upon whom all notices, orders, pleadings, motions,
16 discovery, and memoranda relating to the Consolidated Action shall be served, and
17 defendants shall effect service of papers on plaintiffs in the consolidated Action by
18 serving Interim Class Counsel.

19
20 4. No motion or request for discovery shall be served or filed by plaintiffs,
21 or other pretrial proceedings initiated by plaintiffs, except by or with the
22 authorization of Interim Class Counsel.

23
24 5. The organization structure set forth in this section applies to all
25 plaintiffs' counsel in the Consolidated Action, including any action subsequently
26 governed by this Order.

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6. No communications among plaintiffs' counsel shall be taken as a waiver of any privilege or protection to which they would otherwise be entitled.

IT IS SO ORDERED.

Dated: _____

George H. Wu
Judge of the United States District Court