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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KYLE DEI ROSSI and MARK LINTHICUM,
on behalf of themselves and those similarly
situated,

Plaintiffs,

v.

WHIRLPOOL CORPORATION, PACIFIC
SALES KITCHEN AND BATH CENTERS,
INC. AND BEST BUY COMPANY, INC.,

Defendants.

Case No. 2:12-cv-00125-JAM-JFM

**ORDER GRANTING PLAINTIFFS’
MOTION TO APPOINT CO-LEAD
INTERIM CLASS COUNSEL**

Date: April 18, 2012
Time: 9:30 a.m.
Courtroom: 6 – 14th Floor, Sacramento
Judge: Honorable John A. Mendez

1 **ORDER**

2 Upon the motion of plaintiffs Kyle Dei Rossi and Mark Linthicum (collectively,
3 “Plaintiffs”) for appointment of co-lead interim class counsel pursuant to Federal Rule of Civil
4 Procedure 23(g)(3), it is hereby ORDERED as follows:

- 5 1. Plaintiffs’ motion is GRANTED.
- 6 2. Bursor & Fisher, P.A. and Faruqi & Faruqi, LLP are appointed co-lead interim class
7 counsel.
- 8 3. Bursor & Fisher, P.A. and Faruqi & Faruqi, LLP shall be responsible for coordinating
9 the activities on behalf of the putative class during pretrial proceedings and shall have
10 the sole authority to:
- 11 a. determine and present (in briefs, oral argument, or such other fashion as may
12 be appropriate, personally or by a designee) to the Court and opposing parties
13 the position of the Plaintiffs and the putative class on all matters arising during
14 pretrial proceedings;
 - 15 b. coordinate the initiation and conduct of discovery on behalf of Plaintiffs
16 consistent with the requirements of the Federal Rules;
 - 17 c. conduct settlement negotiations on behalf of Plaintiffs and the putative class;
 - 18 d. delegate specific tasks to other counsel in a manner to ensure that pretrial
19 preparation for the Plaintiffs is conducted efficiently and effectively;
 - 20 e. enter into stipulations with opposing counsel as necessary for the conduct of
21 the litigation;
 - 22 f. monitor the activities of all counsel to ensure that schedules are met and
23 unnecessary expenditures of time and funds are avoided; and
 - 24 g. perform such other duties as may be incidental to the proper coordination of
25 Plaintiffs’ pretrial activities or authorized by further order of the court.
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4. All actions filed in the future in this District or transferred to this District that allege claims arising out of the same or substantially similar facts as alleged in the Complaint will be, until further order of this Court, governed by this Order.

IT IS SO ORDERED.

Date: April 18, 2012

/s/ John A. Mendez
Hon. John A. Mendez
United States District Court Judge