

1 REBECCA COLL (Bar No. 184468)
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and all others similarly situated

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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 ANTHONY VENTURA, on behalf of himself
12 and all others similarly situated,

13 Plaintiff,

14 v.

15 SONY COMPUTER ENTERTAINMENT
16 AMERICA INC.,

17 Defendant.

Case No. 3:10-CV-01811 EMC

**PLAINTIFF VENTURA'S [PROPOSED]
ORDER:**

- (1) FINDING CASES RELATED,
- (2) CONSOLIDATING RELATED
CASES,
- (3) APPOINTING INTERIM CO-LEAD
COUNSEL, AND
- (4) SETTING CASE MANAGEMENT
DATES

Date: June 23, 2010
Time: 10:30 a.m.
Dept: C

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22 The motion of Plaintiff Anthony Ventura, on behalf of himself and all those similarly
23 situated, for an order finding cases related, consolidating related cases, appointing Interim Co-
24 Lead Counsel, and setting case management dates, was heard on June 23, 2010. The Court, having
25 reviewed the parties' papers and heard oral argument, and good cause appearing, GRANTS
26 Plaintiff Ventura's motions, as follows:
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1 1. The Court finds, pursuant to Local Rule 3-12, that the following cases currently
2 pending in the Northern District of California against Sony Computer Entertainment America, Inc.
3 and/or Sony Computer Entertainment America, LLC (collectively, "Sony") are related:

- 4 • Ventura v. Sony Computer Entertainment America, Inc., Northern District of
5 California Case Number 3:10-CV-01811-EMC;
- 6 • Wright v. Sony Computer Entertainment America, Inc., Northern District of
7 California Case Number 3:10-CV-01975-JL;
- 8 • Baker v. Sony Computer Entertainment America, LLC, Northern District of
9 California Case Number 3:10-CV-01897-SC;
- 10 • Densmore v. Sony Computer Entertainment America, Inc., Northern District of
11 California Case Number 3:10-CV-01945-EDL.

12 The Court finds that these cases, collectively referred to as the "PS3 Actions," (1) concern
13 substantially the same parties, property, transaction or event; and (2) it appears likely that there
14 will be an unduly burdensome duplication of labor and expense or conflicting results if these cases
15 are conducted before different judges.

16 2. The above-referenced cases are hereby consolidated pursuant to Fed. R. Civ. P. 42.
17 The PS3 Actions involve common questions of fact and law. All future filings shall bear Case No.
18 3:10-CV-01811 (EMC) and shall bear the caption "In re Sony PS3 Litigation."

19 3. Pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure, Meiselman,
20 Denlea, Packman, Carton & Eberz P.C. and Calvo & Clark, LLP are appointed as Interim Co-Lead
21 Counsel, based on (1) their work in identifying or investigation potential claims in the action; (2)
22 their experience in handling class actions, other complex litigation, and claims of the type asserted
23 in the action; (3) their knowledge of the applicable law; and (4) the resources counsel will commit
24 to representing the class. Interim Co-Lead Counsel shall direct the activities of other plaintiffs'
25 counsel so as to ensure the effective and efficient prosecution of the lawsuit without duplication of
26 effort. By way of example, Interim Co-Lead Counsel shall have the authority over the following
27 matters on behalf of all plaintiffs in the Consolidated Action:

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- 1 (a) directing, coordinating, and supervising the prosecution of plaintiffs' claims in the
2 Consolidated Action;
- 3 (b) appointing working committees, as needed;
- 4 (c) retaining experts;
- 5 (d) communicating with the court;
- 6 (e) communicating with defense counsel;
- 7 (f) conducting settlement negotiations;
- 8 (g) collecting and reviewing time and expense records from all plaintiffs' counsel;
- 9 (h) maintaining communication and promoting efficient and harmonious dealings
10 among all plaintiffs' counsel; and
- 11 (i) coordinating activities to avoid duplication and inefficiency in the filing, serving
12 and/or implementation of pleadings, other court papers, discovery papers, discovery practice, and,
13 generally, in the litigation.

14 No motion shall be initiated or filed on behalf of any plaintiff in the Consolidated Action
15 except through the Interim Co-Lead Counsel.

16 All plaintiffs' counsel shall keep contemporaneous time and expense records, and shall
17 provide such records upon request to the Interim Co-Lead Counsel.

18 4. Plaintiffs shall file a Master Consolidated Complaint within fourteen (14) days of
19 the entry of this order. Defendants shall file a responsive pleading within twenty-one (21) days of
20 the service of the Master Consolidated Complaint.

21 The Consolidated Complaint shall be the operative complaint and shall supersede all
22 complaints filed in any of the consolidated actions. Pending filing and service of the Consolidated
23 Complaint, Defendants shall have no obligation to move, answer, or otherwise respond to any of
24 the complaints in the above-captioned actions herein or any actions subsequently consolidated with
25 them.

1 Interim Co-Lead Counsel and counsel for Defendant shall further confer and propose to the
2 Court a mutually agreeable schedule for briefing on issues related to class certification.

3 IT IS SO ORDERED.

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United States District Court
Magistrate Judge Edward M. Chen

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