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 14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**  
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17 CENTER FOR INDEPENDENT LIVING,  
 INC., JANET BROWN, and LISA KILGORE  
 18 on behalf of themselves and all others  
 similarly situated,

19 Plaintiffs,

20 v.

21 WAL-MART STORES, INC.,

22 Defendant.  
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**Case No. C 12-3885 CRB**

**CLASS ACTION**

**~~PROPOSED~~ ORDER GRANTING  
 PLAINTIFFS' MOTION REQUESTING  
 APPOINTMENT OF INTERIM CLASS  
 COUNSEL PURSUANT TO RULE 23(G)**

Hearing: April 12, 2013

Time: 10:00 a.m.

Place: Courtroom 6, 17th Floor

Judge: Hon. Charles R. Breyer

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~~PROPOSED~~ ORDER

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WHEREAS, the Court has ordered that the cases *Center For Independent Living, Inc. et al. v. Wal-Mart Stores, Inc.*, Case No. 3:12-CV-03885-CRB (“CIL”) and *Partida v. Wal-Mart Stores, Inc.*, Case No. C 13-00305 KAW (“Partida”) are related;

WHEREAS, Defendant Wal-Mart Stores, Inc. has filed an unopposed motion pursuant to Rule 42 of the Federal Rules of Civil Procedure seeking consolidation of the above-captioned matters;

WHEREAS, Plaintiffs’ Counsel in *CIL* has filed a motion pursuant to Rule 23(g) requesting appointment as interim class counsel in the *CIL* and *Partida* cases;

**IT IS HEREBY ORDERED THAT** Plaintiffs’ Motion Requesting Appointment of DRA, DREDF, and Lewis Feinberg as Interim Class Counsel Pursuant to Rule 23(g) is **GRANTED**.

**IT IS FURTHER ORDERED THAT** Plaintiffs’ interim class counsel shall be generally responsible for coordinating the activities of Plaintiffs during pretrial proceedings, and shall have authority over the following matters on behalf of all plaintiffs and the putative class in the *CIL* and *Partida* actions, including:

1. Determining and presenting (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the putative class on all matters arising during pretrial proceedings;
2. Designating which attorneys may appear at hearings and conferences with the Court;
3. Designating which attorneys may appear at settlement negotiations on behalf of the putative class and conducting settlement negotiations with defendant;
4. Entering into stipulations, with opposing counsel, necessary for the conduct of the litigation;
5. Determining the scope, order, and conduct of all discovery proceedings;
6. Retaining plaintiffs' experts;
7. Maintaining adequate time and disbursement records covering services as interim class

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- counsel;
- 8. Ensuring that schedules are met and unnecessary expenditures of time and funds are avoided;
- 9. Assigning such work assignments to other counsel as they may deem appropriate;
- 10. Performing such other duties as may be incidental to proper coordination of plaintiffs' pretrial activities or authorized by further order of the Court, including the drafting and/or filing of all pleadings, orders, and correspondence necessary to conduct the litigation; and
- 11. Planning and coordinating, to the extent practicable, with all related actions filed for all discovery, law and motion practice and related matters, to ensure the efficient prosecution of the consolidated cases.

**IT IS SO ORDERED**

Dated: April 1, 2013



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The Honorable Charles R. Breyer  
United States District Court Judge  
Northern District of California