

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Christine M. Arguello**

Civil Action No. 08-cv-02220-CMA-BNB

FRANCIS CORDES, and  
SHIVANII SINGH, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

IPEX, INC., and  
IPEX USA, LLC,

Defendants.

---

**ORDER REGARDING PLAINTIFFS' STEERING COMMITTEE**

---

This Case Management Order affects the organizational and leadership structure for Plaintiffs' counsel in the instant action.

**I. THE CASES BEFORE THIS COURT**

On May 15, 2009, the Court issued an Order appointing interim class counsel pursuant to Rule 23(g) of the Federal Rules of Civil Procedure.

Subsequent to the issuance of that Order, the Court has been advised by interim class counsel of the existence of six additional cases pending in District Court in the United States, including Alabama, Utah, Ohio, Texas, Tennessee, and Colorado, which essentially make the same claims against the same Defendants, albeit on behalf of classes which are limited to citizens of the state in which the action was filed.

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

### **1. Plaintiffs' Steering Committee**

In addition to this Court's previous appointment of Lead Counsel and Liaison Counsel, the Court designates the following as members of the Plaintiffs' Steering Committee:

Gary Mason  
Mason Law Firm  
225 19th Street, NW, Suite 500  
Washington, DC 20036

Beth Terrell  
Terrell Marshall & Daudt PLLC  
3600 Fremont Avenue N.  
Seattle, WA 98103

Shawn Raiter  
Larson King  
2800 Wells Fargo Place  
30 East Seventh St.  
Saint Paul, MN 55101

Michael Plachy  
Rothgerber Johnson & Lyons LLP  
One Tabor Center, Suite 3000  
1200 Seventeenth Street  
Denver, CO 80202

Todd M. Schneider  
Schneider Wallace Cottrell Brayton Konecky LLP  
180 Montgomery Street, Suite 2000  
San Francisco, CA 94104

Mark Chavez  
42 Miller Avenue  
Mill Valley, CA 94941

### **2. Duties of Plaintiffs' Steering Committee**

The Plaintiffs' Steering Committee will serve at the direction of Lead Counsel and undertake such assignments as provided by Lead Counsel including:

- a. briefing and legal research;
- b. discovery, including both written discovery and depositions;
- c. trial preparation; and
- d. maintain adequate time and disbursement records covering services and present such records to lead counsel upon request.

### **III. PRIVILEGES PRESERVED**

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

### **IV. TIME RECORDS**

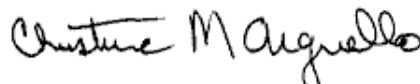
All Plaintiffs' counsel participating in these actions shall submit to Lead Counsel, on a quarterly basis, contemporaneously maintained detailed time and expense records. Failure to maintain accurate time records and/or the timely submission of the same will be grounds for Lead Counsel to withhold future work assignments.

### **V. LATER FILED CASES**

The terms of this Order shall apply automatically to later filed cases, including those transferred to this District. Objections to the terms of this order are waived unless filed with the Court within 10 days of the inclusion of an action in these proceedings. A copy of the objection shall be served on Lead Counsel and counsel for Defendants.

DATED: July 29, 2009.

BY THE COURT:



---

CHRISTINE M. ARGUELLO  
United States District Judge