

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

Civil Action No. 09-cv-00752-CMA-CBS  
(Consolidated with 09-cv-01222-WDM-MJW and 09-cv-01356-MSK-MJW)

ERIC D. WEINSTEIN, Individually and on behalf of all others similarly situated,

Plaintiff,

v.

FISERV, INC.,  
FISERV TRUST COMPANY,  
NTC & CO.,  
TRUST INDUSTRIAL BANK,  
ROBERT BERIAULT HOLDINGS, INC.,  
LINCOLN TRUST COMPANY,  
TD AMERITRADE ONLINE HOLDINGS CORP., and  
TD AMERITRADE HOLDING CORPORATION,

Defendants.

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**ORDER TO CONSOLIDATE CASES**

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This matter comes before the Court on the Motion to Consolidate Related Cases and Appoint Interim Lead Counsel filed by the Weinstein and Rutman Plaintiffs (Doc. # 13) and the Unopposed Motion to Consolidate (Doc. # 19) and the Motion to Appoint Interim Lead Counsel filed by the Cohen Plaintiffs (Doc. # 21).

The Court finds that three actions listed below involve common questions of law or fact, including common parties and common claims, before this Court. Further, the Court finds that consolidation of these three cases will avoid unnecessary costs and delays. It is, therefore,

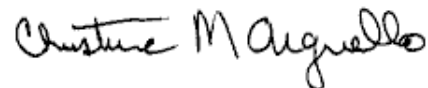
ORDERED that the following actions are consolidated pursuant to Fed. R. Civ. P. 42(a), and future filings in any of these actions shall contain the caption as set forth above and shall be docketed under the above-referenced No. 09-cv-00752-CMA-CBS:

- 1) 09-cv-01222-CMA-CBS and
- 2) 09-cv-01356-CMA-CBS

IT IS FURTHER ORDERED the Motions to Appoint Interim Lead Counsel (Doc. ## 13 and 21) are TAKEN UNDER ADVISEMENT.

DATED: June 30, 2009

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge