

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: APPLE IPHONE 3G AND 3G-S "MMS"
MARKETING AND SALES PRACTICES
LITIGATION

MDL DOCKET NO. 2116

SECTION: J

THIS DOCUMENT RELATES TO ALL CASES

JUDGE BARBIER

MAG. JUDGE WILKINSON

**MOTION TO APPOINT PLAINTIFFS' LIAISON COUNSEL AND
PLAINTIFFS EXECUTIVE COMMITTEE**

NOW INTO COURT, through undersigned counsel, comes Scott R. Bickford, the consensus selection for the Plaintiffs Liaison Counsel, and states as follows:

I.

On December 3, 2009, the Judicial Panel on Multi District Litigation has entered a Transfer Order pursuant to 28 U.S.C. §1407 transferring 12 actions to this Honorable Court.

II.

Since December 3, 2009, it is believed that 10 additional actions have been transferred to this Honorable Court, making the current total 22 cases transferred here for coordination under MDL No. 2116.

III.

Pursuant to this Honorable Court's Pre-Trial Order No. 1, counsel for putative class plaintiff in almost 100% of the filed actions conferred and reached a consensus on the appointment of Scott R. Bickford from the law firm of Martzell & Bickford as Plaintiffs' Liaison Counsel. (See Doc. Rec. No. 9).

IV.

In addition, counsel for putative class plaintiff in almost 100% of the filed actions conferred and reached a consensus on the appointment of a Plaintiffs' Executive Committee consisting of the following:

John R. Climaco

CLIMACO, LEFKOWITZ, PECA, WILCOX & GAROFOLI CO. LPA
55 Public Square
Suite 1950
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Telephone: (216) 621-8484
Facsimile: (216) 771-1632

Stephen B. Murray, Sr.

MURRAY LAW FIRM
50 Poydras Street, Suite 1100
New Orleans, Louisiana 70130
Telephone: 504.525.8100
Facsimile: 504.584.5249

Ronnie G. Penton

Law Offices of RONNIE G. PENTON
209 Hoppen Place
Bogalusa, LA 70427
Telephone: 985/732-5651
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V.

Counsel for putative class plaintiffs respectfully suggest that the interest of justice and judicial expediency would be served by the organization of counsel into a Plaintiffs' Executive Committee.

VI.

As discussed in open Court on January 15, 2010, the counsel for putative class plaintiff in almost 100% of the filed actions conferred and reached a consensus on the manner of appointment of a Plaintiffs' Steering Committee. Each counsel desiring to serve on the Plaintiffs' Steering Committee and willing to commit to the financial requirements of same will contact the Plaintiffs' Executive Committee and the Plaintiffs' Executive Committee will suggest a Plaintiffs' Steering Committee to this Honorable Court.

WHEREFORE, Plaintiffs pray that the Court appoint Scott R. Bickford as Plaintiffs' Liaison Counsel and John R. Climaco, Stephen B. Murray, Sr., and Ronnie G. Penton as members of Plaintiffs' Executive Committee.

Respectfully submitted:

/s/ SCOTT R. BICKFORD
SCOTT R. BICKFORD (1165)
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338 Lafayette St.
New Orleans, LA 70130
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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of January, 2010, I electronically filed the foregoing with the Clerk of court by using the CM/ECF system which will send a notification of such filing to all attorneys of record.

/s/ Scott R. Bickford _____

SCOTT R. BICKFORD

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