

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: WEBLOYALTY.COM, INC.,
MARKETING PRACTICES AND SALES
PRACTICES LITIGATION

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MDL No. 07-01820-JLT

Member Cases: 06-11620, 06-11834
06-11835, 07-10437

ORDER

June 18, 2007

TAURO, J.

The court hereby orders that:

1. Plaintiffs' Motion for Leave to File Consolidated Amended Complaint [#48] is ALLOWED WITHOUT OPPOSITION.
2. Plaintiffs shall file their Consolidated Amended Complaint no later than June 22, 2007.
3. Defendants' Motion for Summary Judgment [#16], currently pending in the Kuefler action is DENIED AS MOOT. This denial is without prejudice to the refiling of motions challenging the Consolidated Amended Complaint. Similarly, Plaintiff Kuefler's Rule 56(f) Motion for Discovery [#24] is DENIED AS MOOT.
4. By July 20, 2007, Defendants shall file an answer or motion to dismiss in response to the Consolidated Amended Complaint.
5. It is hereby ordered that Gael Mahony of the firm, Holland and Knight, LLP, of Boston is appointed Special Master for the above captioned action.
6. The Special Master shall supervise all aspects of discovery, including the

scheduling and scope of such discovery. He may, in his discretion, preside at depositions. His rulings with respect to discovery issues shall be as if ordered by this court.

7. He is to decide all non-dispositive pretrial motions. All orders issued by the Special Master with respect to such motions shall be as if ordered by this court.
8. He is to make recommendations to this court with respect to all dispositive motions, including any updated versions of the existing Motion for Summary Judgment [#16] and Rule 56(f) Motion for Discovery [#24], filed with respect to the Consolidated Amended Complaint.
9. He is to assist the Parties in their efforts to settle this litigation and shall preside at settlement conferences.
10. The Special Master shall be compensated at the rate of \$515.00 per hour. In addition, Mr. Mahony may seek assistance from Daniel Hampton, a partner in Mr. Mahony's law firm. Mr. Hampton's time shall be compensated at \$400.00 per hour. Mr. Mahony shall, on a monthly basis, provide the parties with an itemization of fees and reasonable out-of-pocket expenses. The Parties shall split the bill, which Parties shall pay within two weeks of receipt.
11. The Parties are to forward copies of all of the pleadings that have been filed and that will be filed hereinafter to the Special Master.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge