

MAR 14 2006 4:10PM NAPOLI BERN RIPKA

NO. 0282 P. 2

Lyn14,5.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
JIMMY FLOYD, Individually and On  
Behalf Of Other Persons Similarly Situated,

06 CV 0693 (GEL)

Plaintiffs,

- against -

DOUBLEDAY a/k/a DOUBLEDAY & COMPANY,  
INC., a/k/a DOUBLEDAY, DIVISION OF RANDOM  
HOUSE INC., NAN A. TALESE/DOUBLEDAY,  
ANCHOR BOOKS, KNOOP PUBLISHING GROUP,  
INC., RANDOM HOUSE, INC., NAN A. TALESE,  
JAMES FREY, KASSIE EVASHEVSKI and SEAN  
MCDONALD,

Defendants.

-----X  
**STIPULATION AND ORDER**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: ST/15/06  
DATE FILED: ST/15/06

WHEREAS, the above-captioned action is one of eleven actions pending in federal courts across the country that arises out of the publishing and marketing of the book "A Million Little Pieces" (the "Book"), written by defendant James Frey (the "AMLP Actions") and that on February 23, 2006 defendant Random House, Inc. ("Random House") filed with the Judicial Panel on Multidistrict Litigation ("JPML") a motion to transfer and consolidate the AMLP Actions for coordinated pretrial proceedings (the "MDL Motion");

IT IS HEREBY STIPULATED AND AGREED, by and between the parties<sup>1</sup> through their undersigned counsel, that in light of the MDL Motion and in order to preserve the resources

<sup>1</sup> In addition to defendants Random House and James Frey, the complaint purports to name as defendants "Doubleday a/k/a Doubleday & Company, Inc., a/k/a Doubleday, Division of Random House Inc.", "Nan A. Talese/Doubleday", "Anchor Books" and "Knopf Publishing Group, Inc.", none of which are separate corporate entities. Doubleday and Anchor Books are divisions of Random House, Inc. Defendant Random House will move at the appropriate time to

Dpc. 3

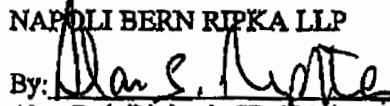
MAR. 14. 2006 4:10PM NAPOLI BERN RIPKA

NO. 0282 P. 3

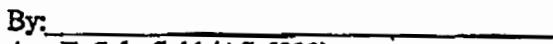
of the Court and litigants and avoid inconsistent pretrial rulings in the AMLP Actions, all proceedings in the above-captioned action shall be stayed pending a final determination of the MDL Motion.

Dated: New York, New York  
March 1, 2006

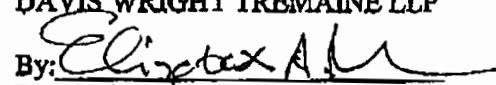
NAPOLI BERN RIPKA LLP

By:   
Alan Seth Ripka (ASR 1921)  
115 Broadway  
New York, New York 10006  
(212) 267-3700  
Attorneys for Plaintiffs  
Jimmy Floyd, et al.

MCDERMOTT WILL EMERY LLP

By:   
Ann E. Schofield (AS 6832)  
340 Madison Avenue  
New York, New York 10017  
(212) 547-5400  
Attorneys for Defendant James Frey

DAVIS WRIGHT TREMAINE LLP

By:   
Elizabeth A. McNamara (EAM1987)  
1633 Broadway  
New York, New York 10019  
(212) 489-8230  
Attorneys for Defendant  
Random House, Inc.

IT IS SO ORDERED:

---

Date

---

United States District Judge

---

have these alleged parties dismissed from the action. Individual defendants Nan A. Talsee, Kassie Evaskevski and Sean McDonald have not appeared in this action.

MAR-02-2006 10:26

212 5475830

212 5475830 P.03

of the Court and litigants and avoid inconsistent pretrial rulings in the AMLP Actions, all proceedings in the above-captioned action shall be stayed pending a final determination of the MDL Motion.

Dated: New York, New York  
March 1, 2006

NAPOLI BERN RIPKA LLP

By: Alan Seth Ripka (ASR 1921)  
115 Broadway  
New York, New York 10006  
(212) 267-3700  
Attorneys for Plaintiffs  
Jimmy Floyd, et al.

MCDERMOTT WILLIAMS & EMERY LLP

By: Ann E. Schofield  
Ann E. Schofield (AS 6832)  
340 Madison Avenue  
New York, New York 10017  
(212) 547-5400  
Attorneys for Defendant Jimmy Frey

DAVIS WRIGHT TREMAINE LLP

By: Elizabeth A. McNamara (RAM1987)  
1633 Broadway  
New York, New York 10019  
(212) 489-8230  
Attorneys for Defendant  
Random House, Inc.

IT IS SO ORDERED:

3/15/06

Date

Reverend G. Zabel  
United States District Judge

have these alleged parties dismissed from the action. Individual defendants Nan A. Talese, Kassie Evaskovski and Sean McDonald have not appeared in this action.