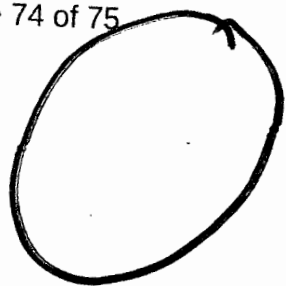


JHS



IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEVON IT, INC., et al.,
Plaintiffs,
v.
IBM CORP., et al.,
Defendants.

CIVIL ACTION NO. 10-2899

FILED

DEC 30 2013
Clerk's
Dep. Clerk

ORDER

AND NOW, this 21st day of November 2013, upon consideration of the Motion of Mitts Milavec LLC for the Application of an Attorney's Charging Lien or, In the Alternative the Imposition of a Constructive Trust (Doc. No. 144), Devon's Responses in Opposition (Doc. Nos. 156, 157, 217), the Motions to Intervene (Doc. Nos. 179, 195, 196, 203), Responses to the Motions to Intervene (Doc. Nos. 186, 188, 190, 201, 204), the Intervenors' Complaints (Doc. Nos. 271, 272, 273, 276), Devon's Answers (Docs. No. 286, 287, 288), related filings (Doc. Nos. 292, 293, 295, 296, 297, 298, 299), and the testimony and exhibits introduced during the six days of evidentiary hearings, and in accordance with the Opinion of the Court issued this day, it is

ORDERED that:

1. The Motion of Mitts Milavec LLC for the Application of an Attorney's Charging Lien or, In the Alternative the Imposition of a Constructive Trust (Doc. No. 144) is **DENIED**.
2. The claims of the Intervenors in their Complaints (Doc. Nos. 271, 273, 276) are **GRANTED** and the Intervenors will be paid for services rendered from December 27, 2011 to March 2012 when the Intervenors ceased working on behalf of Devon.

ENTERED

DEC 31 2013

CLERK OF COURT

3. Within fourteen days of the date of this Order, the Intervenor is directed to file a Notice with the Court of the amount of fees and costs they are entitled to for services rendered from December 27, 2011 to March 2012.⁴³
4. The Clerk of Court is directed to hold [REDACTED] in escrow pending the resolution of the amount due to the Intervenor. A future final Order will be entered directing the Clerk of Court to distribute the [REDACTED] escrow funds to the Intervenor and Devon after the amount due to the Intervenor is finalized.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.

⁴³ The Court encourages Devon and the Intervenor to jointly determine the correct amount due to the Intervenor in accordance with this Order and the Opinion of the Court. If no agreement can be reached, then the Court will decide the matter based upon the Notice filed by the Intervenor and any opposing filings by Devon.