

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

In re POLYURETHANE FOAM  
ANTITRUST LITIGATION

MDL Docket No. 2196

Index No. 10 MD 2196 (JZ)

ORDER RE INTERIM LEAD COUNSEL  
AND EXECUTIVE COMMITTEE \_\_\_\_\_

JUDGE JACK ZOUHARY

This Court previously designated counsel to serve as Interim Lead Counsel and on the Executive Committee for the alleged Direct Purchaser Class, and for the alleged Indirect Purchaser Class (Doc. No. 28).

Pursuant to Federal Civil Rule 23(g)(3), Interim Lead Counsel shall be responsible for their respective Class Plaintiffs as follows:

- Supervising all pretrial proceedings;
- Preparing pleadings, motions, briefs, discovery requests or objections, subpoenas or notices;
- Determining and presenting in motions, briefs, oral argument, or such other fashion as may be appropriate, the position of Class Plaintiffs as to pretrial matters;
- Acting as spokespersons for Class Plaintiffs at hearings, pretrial conferences and meetings with Defendants;
- Negotiating and entering stipulations with defense counsel with respect to all matters in this litigation, including discovery and settlement;
- Conducting and coordinating discovery, including the preparation of interrogatories, requests for production of documents, requests for admissions, and the examination of witnesses in depositions;

- Coordinating the activities of Plaintiffs' counsel and implementing procedures to ensure that schedules are met and avoiding unnecessary expenditures of time and funds;
- Collecting time and expense reports on a periodic basis, endeavoring to keep attorneys' fees reasonable, and choosing appropriate levels of staffing for the tasks required;
- Employing and consulting with experts;
- Convening meetings;
- Delegating tasks to counsel, and otherwise coordinating the work, and performing such other duties as necessary;
- Allocating among counsel any attorneys fees that may be awarded by the Court (subject to the jurisdiction of the Court to resolve any disputes related to such allocation); and
- Ensuring that counsel are kept informed of the progress of this litigation as necessary.

Further, the respective Executive Committees shall operate at the direction, and under the supervision, of their respective Interim Lead Counsel and, to the extent deemed appropriate by those heads, shall assist in the fulfillment of the responsibilities listed above, including in particular responsibilities related to discovery, briefing, expert disclosures and pretrial preparation.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U. S. DISTRICT JUDGE

January 28, 2011