

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

IN RE: HYDROGEN PEROXIDE : CIVIL ACTION  
ANTITRUST LITIGATION :  
: NO. 05-666

ORDER

AND NOW, this 28th day of March, 2005, upon consideration of the proposed order designating interim co-lead counsel for plaintiffs, and the consent of all plaintiffs' counsel with cases pending in this district to our entry of the proposed order, it is hereby ORDERED, pursuant to Fed.R.Civ.P. 23 (g) (2) (A), that:

1. We appoint Michael Hausfeld of Cohen Milstein Hausfeld & Toll P.L.L.C., Anthony Bolognese of Bolognese & Associates, LLC, Steven A. Kanner of Much Shelist Freed Denenberg Ament & Rubinstein, P.C., and Robert N. Kaplan of Kaplan Fox & Kilsheimer LLP, as Interim<sup>1</sup> Co-Lead Counsel for plaintiffs. Interim Co-Lead Counsel shall be responsible for the overall conduct of the litigation on behalf of plaintiffs. Interim Co-Lead Counsel shall have the following responsibilities with respect to the prosecution of this litigation on behalf of plaintiffs:

a. To brief and argue motions and file opposing

---

<sup>1</sup> If the Judicial Panel on Multidistrict Litigation transfers the cases pending in the United States District Court for the Northern District of California (or other Districts) to this Court, we will consider amending this Order.

briefs in proceedings initiated by other parties;

b. To initiate and conduct discovery proceedings;

c. To act as a spokesperson at pretrial conferences;

d. To negotiate with defense counsel with respect to settlement and other matters;

e. To request that the Court approve settlements and fee awards;

f. To call meetings of counsel for plaintiffs in the Class Action Cases when appropriate;

g. To make all work assignments to counsel for plaintiffs in the Class Action Cases to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;

h. To conduct trial and post-trial proceedings;

i. To consult with and employ experts;

j. To perform such other duties and undertake such other responsibilities as they deem necessary or desirable;

k. To coordinate and communicate with counsel in the Related Individual Cases with respect to matters addressed in this paragraph; and

1. To coordinate and communicate with defendants' counsel with respect to matters addressed in this paragraph;

2. No motion, request for discovery, or other pretrial proceedings in the this litigation shall be initiated or filed by any class action plaintiff except through Interim Co-Lead Counsel;

3. All work performed by any plaintiffs' counsel in

the Class Action Cases must be authorized in advance by Interim Co-Lead Counsel; and

4. All plaintiffs' counsel shall submit to the designee of Plaintiffs' Interim Co-Lead Counsel a record of the time expended to date in the form set forth by Plaintiffs' Interim Co-Lead Counsel on a monthly basis or on such other schedule as may be established. Failure to maintain and timely submit such records will be considered in any fee allocation and may constitute grounds for denying court-awarded attorneys' fees.

BY THE COURT:

/s/ Stewart Dalzell, J.