

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: TELEXFREE SECURITIES)	
LITIGATION)	
)	
)	
This Document Relates To:)	MDL No. 4:14-md-2566-TSH
)	
All Cases)	
)	
)	

MDL Case Management Order No. 3
December 23, 2014

Hillman, D.J.

1. Plaintiffs’ Unopposed Motion For Appointment Of Interim Lead Class Counsel And Steering Committee (Docket No. 20) is allowed as provided in this Order. The court appoints the law firm of Bonsignore, PLLC as Interim Lead Class Counsel.

2. The Court designates Ronald Dardeno of the Law Office of Frank L. Dardeno, LLP, William Baldiga of Brown Rudnick, D. Michael Noonan of Shaheen and Gordon, R. Alexander Saveri of Saveri & Saveri, and William L Coulthard of Kemp, Jones and Coulthard, LLP as members of Plaintiffs’ Interim Executive Committee.

3. Plaintiffs’ Interim Lead Class Counsel, after appropriate consultation and with the advice and consent of the Executive Committee, shall be responsible for coordinating and organizing Plaintiffs in the conduct of this litigation as to all claims and, in particular, shall have the following responsibilities:

- a. To brief and argue motions and file opposing briefs in proceedings initiated by other parties;
- b. To initiate and conduct discovery proceedings;
- c. To act as spokesperson at pretrial conferences;
- d. To negotiate with defense counsel with respect to settlement and other matters;
- e. To call meetings of Plaintiffs' counsel when appropriate;
- f. To make all work assignments to Plaintiffs' counsel to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;
- g. To assure that all Plaintiffs' counsel are kept informed of the progress of this litigation as necessary;
- h. To conduct trial and post-trial proceedings;
- i. To consult with and employ experts;
- j. To coordinate the filing of any joint fee petition by Plaintiffs' counsel;
- k. To perform such other duties and undertake such other responsibilities as it deems necessary or desirable; and
- l. To coordinate and communicate with Defendants' counsel with respect to matters addressed in this paragraph.

3. The Executive Committee shall be consulted in an appropriate and efficient manner by Interim Lead Class Counsel on substantive issues to assist in the responsible and efficient prosecution of the litigation. Interim Lead Class Counsel

shall seek the advice and consent of the Executive Committee in connection with major decisions regarding the prosecution and/or settlement of the litigation.

4. Interim Lead Class Counsel and the Executive Committee shall together select working groups or committees to further the efficient prosecution of the litigation as is deemed necessary based on their collective judgment and consideration.

5. All counsel representing Plaintiffs shall maintain accurate and contemporaneous records of their time spent in this litigation and shall submit monthly time and expense reports to the Executive Committee no later than the 20 days after the end of each month. The failure to maintain such records and submit timely reports may result in such time or expenses being disallowed for purposes of any fee petition. The Executive Committee shall provide on a monthly basis to Interim Lead Class Counsel an aggregate report of all time spent by Plaintiffs' counsel.

6. Interim Lead Class Counsel, after consultation and with the advice and consent of the Executive Committee, shall assess the amounts necessary for common litigation costs necessary for the efficient and effective prosecution of the litigation and shall collect and maintain assessments from members of the Executive Committee. The failure to timely pay assessments may result in removal from membership on the Executive Committee.

7. No communications between Interim Lead Class Counsel, members of the Executive Committee, and other counsel representing plaintiffs in any cases consolidated or coordinated with this litigation, shall act as a waiver of any privilege or protection to which they are otherwise entitled.

8. The organizational structure of Plaintiffs' counsel established by this Order shall bind Plaintiffs' counsel in the individual cases consolidated under the Master Docket Number, at present and hereafter.

/s/ Timothy S. Hillman

Timothy S. Hillman
United States District Judge