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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DYNACORN AUTOBODY PARTS, INC., a
California corporation, and all others similarly
situated,

Plaintiff,

v.

GENERA CORPORATION, a California
corporation; MAXZONE VEHICLE
LIGHTING CORP., a California corporation;
E-LITE AUTOMOTIVE, INC., a California
corporation, TYC BROTHER INDUSTRIAL
CO., LTD., a Taiwanese corporation; DEPO
AUTO PARTS INDUSTRIAL CO., LTD., a
Taiwanese corporation and EAGLE EYES
TRAFFIC INDUSTRIAL CO., LTD., a
Taiwanese corporation,

Defendants.

Case No. **09 MDL 2007**

CV08-1158 GW (PJWx)

**ORDER APPOINTING PLAINTIFFS'
INTERIM LEAD COUNSEL AND
SCHEDULE FOR FILING
CONSOLIDATED COMPLAINT**

RELATED CASES:

CV08-07204 GW

CV08-07634 GW

CV08-8470 GW

CV09-0982 GW

**CV09-0967 JFW (Notice of Related Case
filed on 2/23/09)**

Date: March 9, 2009

Time: 8:30 a.m.

Courtroom: 10

Judge: Hon. George Wu

On March 9, 2009, this Court heard Plaintiffs' Motion for Appointment of Interim Class
Counsel and Scheduling Order and,
Good cause appearing therefor, the Court orders as follows:

1
2 **Organization Of Direct Purchaser Plaintiffs' Counsel**

3 1. The organizational structure of direct purchaser plaintiffs' counsel established
4 by this Order shall bind plaintiffs' and defendants' counsel in the related actions filed by direct
5 purchasers in this Court, namely *Dynacorn Autobody Parts v. Genera Corporation, et al*,
6 CV08-01158 GW (C.D. Cal.); *Flash Sales Inc. v. Genera Corporation, et al*, CV08-07204 GW
7 (C.D. Cal.); *DJ's Autobody Inc. v. Genera Corporation, et al*, CV08-07634 GW (C.D. Cal.);
8 *Motoring Parts, Int'l v. Genera Corp., et al.*, No. CV09-0967 JFW (C.D. Cal.); *Prevatte Auto*
9 *Supply Inc. v. Genera Corp., et al.*, No. CV08-8470 GW (C.D. Cal.); *California Customs, Inc.*
10 *v. Genera Corp., et al.*; No. 09-0982 GW (C.D. Cal.) (the "Related Actions"), including any
11 subsequent action brought by direct purchasers making the same or similar claims filed in or
12 transferred to this Court.

13 2. The following attorneys are designated as Interim Co-Lead Counsel for the
14 direct purchaser plaintiffs: Jason S. Hartley of Troutman Sanders, LLP; Bonny Sweeney of
15 Coughlin Stoia Geller Rudman & Robbins, LLP; Michael Lehmann of Hausfeld LLP; and Jay
16 Himes of Labaton Sucharow, LLP (hereinafter referred to as "Direct Purchaser Plaintiffs'
17 Interim Co-Lead Counsel").

18 3. Direct Purchaser Plaintiffs' Interim Co-Lead Counsel are authorized to receive
19 orders, notices, correspondence, and telephone calls from the Court on behalf of all plaintiffs in
20 the Related Actions. Any agreements entered into by Direct Purchaser Plaintiffs' Interim Co-
21 Lead Counsel with defendants or their counsel shall be binding on all plaintiffs in the Related
22 Actions. Direct Purchaser Plaintiffs' Interim Co-Lead Counsel shall assume and exercise the
23 following powers and responsibilities:

24 a. To determine and present in pleadings, motions, briefs, oral argument or
25 such other fashion as may be appropriate to the Court and opposing parties, the position
26 of the direct purchaser plaintiffs as to all matters arising during all pretrial and trial
27 proceedings;

28 b. To conduct or coordinate discovery on behalf of direct purchaser

1 plaintiffs consistent with the requirements of the Federal Rules of Civil Procedure;

2 c. To enter into stipulations with opposing counsel for the conduct of the
3 direct purchaser litigation;

4 d. To supervise and monitor the activities of direct purchaser plaintiffs'
5 counsel and to implement procedures to ensure that unnecessary expenditures of time
6 and funds by counsel are avoided, including collecting monthly fee and expense reports
7 from those counsel;

8 e. To sign all papers filed or submitted on behalf of direct purchaser
9 plaintiffs;

10 f. To conduct all pre-trial, trial and post-trial proceedings on behalf of
11 direct purchaser plaintiffs;

12 g. To employ and consult with experts;

13 h. To call and chair meetings of direct purchaser plaintiffs' counsel when
14 deemed appropriate;

15 i. To be the sole persons authorized to conduct settlement negotiations with
16 defendants on behalf of direct purchaser plaintiffs;

17 j. To designate attorneys to enter into stipulations necessary for the
18 conduct of the litigation with defense counsel and plaintiff's counsel in the individual,
19 non-class action captioned *Sabry Lee, Inc. v. Genera Corporation, et al.*, Case No.
20 CV08-05758 GW PJWx (the "*Sabry Lee Action*"), and in any indirect purchaser actions
21 that are or will be pending in this Court;

22 k. To coordinate with the Department of Justice regarding its criminal
23 investigation;

24 l. To otherwise coordinate the work of all direct purchaser plaintiffs'
25 counsel, and perform such other duties as Direct Purchaser Plaintiffs' Interim Co-Lead
26 Counsel deem necessary or as authorized by further order of the Court; and

27 m. To make all work assignments on behalf of direct purchaser plaintiffs in
28 such a manner as to promote the orderly and efficient conduct of this litigation and to

1 avoid unnecessary duplication and expense.

2 **Schedule for Filing Consolidated Amended Complaint**

3 4. No later than March 16, 2009, plaintiffs shall prepare and file through ECF a
4 single Consolidated Complaint that shall be deemed to supersede the complaints filed by the
5 direct purchasers in each of the Related Actions.

6 IT IS SO ORDERED.

7
8 Dated: March 16, 2009



Hon. George H. Wu
Judge of the U.S. District Court

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