## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

Kevin Brnich Electric LLC, Case No. 1:22-cv-01229-MHC Performance Electric, Inc., Artistic Electric Inc., Bolt Electric LLC, and Charles Vodicka, individually and on ORDER GRANTING behalf of all others similarly situated, PLAINTIFFS' UNOPPOSED **MOTION TO** Plaintiffs, **CONSOLIDATE CASES AND** v. APPOINT INTERIM LEADERSHIP COUNSEL Siemens Industry, Inc., Defendant.

On June 2, 2022, Plaintiffs in this case moved for consolidation of the actions with the related case *Cates, et al. v. Siemens Industry, Inc.*, No. 1:22-cv-01914-MHC (N.D. Ga. May 13, 2022), and for appointment of interim leadership counsel. It appearing that the related cases share common questions of law and fact and that consolidation will avoid expense and delay, and having considered the criteria set forth in Fed. R. Civ. P. 42(a) and 23(g) and in the Manual for Complex Litigation (4th ed. 2004) (the "Manual"), the Court hereby **GRANTS** the Motion, and orders the following:

1. Cates, et al. v. Siemens Industry, Inc., No. 1:22-cv-01914-MHC (N.D. Ga. May 13, 2022) is hereby consolidated with Kevin Brnich Electric LLC, et al. v.

Siemens Industry, Inc., No. 1:22-cv-01229-MHC (N.D. Ga. Mar. 29, 2022) and shall proceed under case No. 1:22-cv-01229. The Clerk is **DIRECTED** to **ADMINISTRATIVELY TERMINATE** Case No. 1:22-cv-01914.

- 2. **Interim Co-Lead Counsel** are appointed as follows: Brian C. Gudmundson, Zimmerman Reed LLP; and Victoria Nugent, Cohen Milstein Sellers & Toll PLLC.
- 3. **Duties of Interim Co-Lead Counsel:** Co-Lead Counsel shall have the following responsibilities:
  - A. Determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the Plaintiffs' and putative Class members' positions on all matters arising during pretrial proceedings;
  - B. Coordinate the initiation and conduct of discovery on behalf of Plaintiffs and putative Class members, consistent with the requirements of Fed. R. Civ. P. 26(b)(1), 26(b)(2), and 26(g), including the preparation of joint interrogatories and requests for the production of documents and the examination of witnesses in depositions;
  - C. Conduct settlement negotiations on behalf of Plaintiffs and putative Class members, and, where appropriate, to present any proposed settlements to the Court on behalf of putative class members;
  - D. Delegate specific tasks to other counsel, in a manner designed to ensure that pretrial preparation is conducted efficiently and effectively;

- E. Enter into stipulations with opposing counsel as necessary to conduct the litigation;
- F. Prepare and distribute status reports to any other law firms that might seek to represent the putative class;
- G. Maintain adequate time and disbursement records covering services as Interim Co-Lead Counsel;
- H. Monitor the activities of any other law firms that might seek to represent putative Class members to ensure that schedules are met and unnecessary expenditures of time and funds are avoided; and
- I. Perform such other duties as may be incidental to the proper prosecution and coordination of pretrial activities on behalf of Plaintiffs and the putative Class or authorized by further order of this Court.
- 4. **Liaison Counsel** is appointed as follows: Charles Van Horn, Berman Fink Van Horn P.C.
  - 5. Plaintiffs' Executive Committee members are appointed as follows:

David Goodwin of Gustafson Gluek, PLLP; and Matthew D. Schelkopf, Sauder Schelkopf LLC.

IT IS SO ORDERED this 24th day of June, 2022.

Hon. Mark H. Cohen

United States District Judge