

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: CHOCOLATE : **MDL DOCKET NO. 1935**
CONFECTIONARY ANTITRUST : **(Civil Action No. 1:08-MDL-1935)**
LITIGATION :
_____ : **(Judge Conner)**
:
THIS DOCUMENT APPLIES TO: :
:
ALL CASES :

CASE MANAGEMENT ORDER NO. 10
RE: FILING PROCEDURES FOR THE PLAINTIFF GROUPS

AND NOW, this 5th day of March, 2009, upon consideration of the docket in the above-captioned matter, and the court finding it efficient to reduce the length of docket entries generated when documents are filed on behalf of the plaintiff groups, it is hereby ORDERED that:

- 1. CREATION OF DOCKET LABELS FOR PLAINTIFF GROUPS.**
The Clerk of Court is instructed to create a label for each plaintiff group to be used by lead and local counsel (liaison counsel for the individual plaintiffs) when filing documents on behalf of all members of the group. The labels shall read as follows:

A - DIRECT PURCHASERS
B - INDIRECT PURCHASERS FOR RESALE
C - INDIRECT END USERS
D - INDIVIDUAL PLAINTIFFS

2. **USE OF LABELS BY COUNSEL.** The labels will appear in the CM/ECF box directing filers to “Select the Party” to which a document applies. Counsel shall utilize the labels as follows:
- a. **Filing Documents on Behalf a Plaintiff Group.** Any document applicable to all members of a plaintiff group shall be filed using the plaintiff group labels created under Paragraph 1. A document filed using a plaintiff group label shall be deemed to apply to all plaintiffs identified in the group’s most recently filed complaint. Counsel shall not highlight individual group members in the CM/ECF “Select the Party” box when filing a document using a plaintiff group label.
 - b. **Filing Documents on Behalf of Particular Plaintiffs.** Counsel filing a paper applicable to fewer than all members of a plaintiff group shall individually highlight each party to which the paper applies in the CM/ECF “Select the Party” box. Counsel may not use a plaintiff group label to file a document that applies to fewer than all members of the plaintiff group.
 - c. **Instructions Applicable to the Indirect Purchasers for Resale.** Lead and local counsel for the indirect purchasers for resale, which presently include only one plaintiff, shall use the appropriate plaintiff group label when filing documents as a representative of the putative class defined in the amended complaint (Doc. 422 ¶ 27) of the indirect purchasers for resale. Documents applicable solely to Treat America Limited, the lone group member, shall be filed using the plaintiff’s name rather than the plaintiff group label.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge