

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION ATHLETIC
GRANT-IN-AID LITIGATION

No. MD 14-2541 CW

ORDER (1) DENYING
THE FLOYD
PLAINTIFFS' MOTION
TO APPOINT
HAUSFELD LLP AND
ZELLE HOFMANN
VOELBEL & MASON
LLP AS CO-LEAD
COUNSEL;
(2) DENYING THE
APPLICATION TO
APPOINT THE DUGAN
LAW FIRM AS
ADDITIONAL CO-LEAD
COUNSEL; AND
(3) APPOINTING
PLAINTIFFS'
INTERIM CO-LEAD
CLASS COUNSEL

(Docket Nos. 32,
33)

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This matter comes before the Court on (1) the Floyd Plaintiffs' Motion to Appoint Hausfeld LLP and Zelle Hofmann Voelbel & Mason LLP as Co-Lead Counsel (Docket No. 32), and (2) the Application to Appoint Dugan Law Firm as Additional Co-Lead Class Counsel (Docket No. 33).¹ Upon consideration of the papers submitted in support of and in opposition thereto, and with good cause appearing, the motions are DENIED.

¹ Docket No. 33 is styled not as a motion, but as an application. However, it is docketed as a motion, and because it seeks the same sort of relief sought in Docket No. 32, the Court treats both as motions.

1 The Court previously appointed Hagens Berman Sobol Shapiro
2 LLP, Pearson, Simon & Warshaw LLP, and Winston & Strawn as
3 Plaintiffs' Interim Co-Lead Class Counsel. The Court reaffirms
4 its appointment of those firms as Plaintiffs' Interim Co-Lead
5 Class Counsel. Hagens Berman Sobol Shapiro LLP and Pearson, Simon
6 & Warshaw will have primary responsibility for all cases with
7 damage claims, and for the consolidated actions, as well as for
8 any additional actions that are consolidated with these cases.
9 Winston & Strawn will have primary responsibility for the Jenkins
10 case, which has no damage claims. Interim Co-Lead Class Counsel
11 shall be responsible for the overall conduct of the litigation on
12 behalf of the Class Plaintiffs.

13 Interim Co-Lead Class Counsel shall have the following
14 specific responsibilities with respect to this litigation on
15 behalf of the Class Plaintiffs:

16 1. To coordinate and make work assignments among themselves
17 and other Plaintiffs' counsel to promote efficient prosecution of
18 this litigation and to avoid duplication of work;

19 2. To prepare and file a consolidated amended complaint and
20 all other necessary pleadings and filings in this matter;

21 3. To initiate and conduct all discovery proceedings and
22 communicate with Defendants' counsel with respect to same on all
23 issues related to the Class Plaintiffs;

24 4. To coordinate all motions, requests for discovery,
25 expert work and other pretrial proceedings regarding the position
26 of all the Class Plaintiffs. No motion, request for discovery, or
27 other pretrial proceedings in this litigation shall be initiated
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1 or filed by any class member except through Interim Co-Lead Class
2 Counsel;

3 5. To conduct any trials in these proceedings on behalf of
4 class members;

5 6. To meet with defense counsel with respect to settlement
6 and other members on behalf of Class Plaintiffs;

7 7. To record and administer all time and expenses of
8 counsel and staff in these and any other consolidated class action
9 cases on a form set forth by Interim Co-Lead Class Counsel on a
10 monthly basis or on such other schedule as may be established.

11 Failure to maintain and timely submit such records will be
12 considered in any fee allocation and may constitute grounds for
13 denying court-awarded attorneys' fees;

14 8. To assess Plaintiffs' law firms' common litigation costs
15 and collect assessments on a regular basis; and

16 9. To allocate any award of attorneys' fees among
17 Plaintiffs' counsel.

18 IT IS SO ORDERED.

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Dated: August 22, 2014



CLAUDIA WILKEN
United States District Judge