

FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

2005 MAY 20 P 2:19

U.S. DISTRICT COURT
NEW HAVEN, CONNECTICUT

IN RE POLYCHLOROPRENE
RUBBER ("CR") ANTITRUST
LITIGATION

MDL NO. 1642

THIS DOCUMENT RELATES TO:

ALL ACTIONS

[PROPOSED] PRETRIAL ORDER NO. 1

A. Role of Lead Counsel

1. The Court appoints Michael Hausfeld of Cohen, Milstein, Hausfeld, & Toll, P.L.L.C., Anthony Bognese of Bognese & Associates, LLC, Paul Bennett of Gold Bennett Cera & Sidener LLP, and Howard Sedran of Levin, Fishbein, Sedran & Berman as Co-Lead Counsel for the Class Action Cases. Co-Lead Counsel shall be responsible for the overall conduct of the Class Action Cases. Co-Lead Counsel shall have the following responsibilities with respect to the Class Action Cases:

- 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 a spokesperson at pretrial conferences;
- d. To negotiate with defense counsel with respect to settlement and other matters;
- e. To request that the Court approve settlements and fee awards;

- f. To call meetings of counsel for plaintiffs in the Class Action Cases when appropriate;
- g. To make all work assignments to counsel for plaintiffs in the Class Action Cases to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort;
- h. To conduct trial and post-trial proceedings;
- i. To consult with and employ experts;
- j. To perform such other duties and undertake such other responsibilities as they deem necessary or desirable;
- k. To coordinate and communicate with counsel in the Related Individual Cases with respect to matters addressed in this paragraph, and;
 - l. To coordinate and communicate with defendant's counsel with respect to matters addressed in this paragraph.
- 2. No motion, request for discovery, or other pretrial proceedings in the Class Action Cases shall be initiated or filed by any class action plaintiff except through Co-Lead Counsel.
- 3. All work performed by any plaintiffs' counsel in the Class Action Cases must be authorized in advance by Co-Lead Counsel.

B. Role of Interim Liaison Counsel

- 1. The Court appoints David Schaefer of Brenner, Saltzman & Wallman LLP as Liaison Counsel in the Class Action Cases. Liaison Counsel shall have the following responsibilities:
 - a. To receive Court orders, Court notices, Court correspondence, and telephone calls from the Court on behalf of all plaintiffs in the Class Action Cases;

b. To maintain an up-to-date service list of all counsel and for distributing copies of Court orders, Court notices and other Court documents to counsel for plaintiffs in the Class Action Cases.

c. To maintain complete files with copies of all documents served on Liaison Counsel and make such files available to plaintiffs in the Class Action Cases upon request.

d. To receive orders and notices from the Judicial Panel on Multidistrict Litigation on behalf of all plaintiffs in the Class Action Cases and prepare and transmit copies of such orders and notices to all plaintiffs in the Class Action Cases.

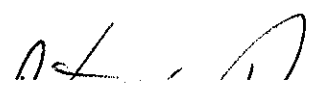
e. To perform any other tasks assigned by Interim Co-Lead Counsel.

C. Maintenance of Contemporaneous Attorney Time and Expense Records

1. All counsel for plaintiffs in the Class Action Cases shall submit to Co-Lead Counsel a record of the time expended and expensed incurred in the form set forth by Co-Lead Counsel on a monthly basis.

IT IS SO ORDERED

Dated: May 20, 2005

By: 
Peter C. Dorsey
United States District Judge