

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

**ANDREW KNIGHT, BENJAMIN PRUSKY,
and SAWBILL COMPANIES, INC.,
individually and on behalf of all others
similarly situated,**

Plaintiffs,

v.

**JELD-WEN, INC., and MASONITE
CORPORATION,**

Defendants.

Civil Action No. 3:18-cv-00850-JAG

**ALLISON DELLATORE, and CRAIG
WEITZ, individually and on behalf of all
others similarly situated,**

Plaintiffs,

v.

**JELD-WEN, INC., and MASONITE
CORPORATION,**

Defendants.

Civil Action No. 3:18-cv-00861-JAG

SCHEDULING ORDER

I. INTERIM CO-LEAD COUNSEL AND INTERIM LIAISON COUNSEL FOR INDIRECT PURCHASER PLAINTIFFS CLASS COUNSEL

A. Pursuant to Federal Rule of Civil Procedure 23(g), the Court appoints the following as Interim Co-Lead Counsel for the proposed Indirect Purchaser Plaintiffs Class:

Steven N. Williams
Kyla J. Gibboney
JOSEPH SAVERI LAW FIRM
601 California Street, Suite 1000
San Francisco, CA 94108
Tel: (415) 500-6800
Fax: (415) 395-9940
swilliams@saverilawfirm.com
kgibboney@saverilawfirm.com

Daniel C. Hedlund
Michelle J. Looby
GUSTAFSON GLUEK PLLC
120 South 6th Street, Suite 2600
Minneapolis, MN 55402
Tel: (612) 333-8844
Fax: (612) 339-6622
dhedlund@gustafsongluek.com
mlooby@gustafsongluek.com

Hollis Salzman
William V. Reiss
ROBINS KAPLAN LLP
399 Park Avenue, Suite 3600
New York, NY 10022
Telephone: 212-980-7400
Facsimile: 212-980-7499
HSalzman@RobinsKaplan.com
WReiss@RobinsKaplan.com

B. The Court appoints the following as Interim Liaison Counsel for the proposed Indirect Purchaser Plaintiffs Class:

Conrad M. Shumadine (VSB #4325)
WILLCOX & SAVAGE, P.C.
440 Monticello Avenue, Suite 2200
Norfolk, Virginia 23510
Telephone: (757) 628-5525
Facsimile: (757) 628-5566
cshumadine@wilsav.com

C. Interim Co-Lead counsel shall have sole authority over the following matters on behalf of Plaintiffs and/or the proposed Indirect Purchaser Plaintiffs class: (a) convening meetings of counsel; (b) initiation, response, scheduling, briefing, and argument of all motions; (c) the scope, order, and conduct of all discovery proceedings; (d) making such work assignments among themselves and other counsel as they may deem appropriate; (e) collecting contemporaneously-kept time and expense reports from all Indirect Purchaser Plaintiffs' counsel on a periodic basis; (f) the retention of experts; (g) designation of which attorneys shall appear at hearings and conferences with the Court; (h) the timing and substance of any settlement negotiations and/or settlement with Defendants; (i) the allocation of fees among the various firms doing work in the case, if any are awarded by the Court; and (j) other matters concerning the prosecution of the case.

D. Interim Co-Lead Counsel shall have sole authority to communicate with Defendants' counsel and the Court on behalf of all Indirect Purchaser Plaintiffs and/or the proposed Indirect Purchaser Plaintiffs class. Defendants' counsel may rely on all agreements made with interim co-lead counsel and such agreements shall be binding on all Indirect Purchaser Plaintiffs or class counsel.

E. Only Interim Co-Lead Counsel may initiate or direct the filing of any motions on behalf of Indirect Purchaser Plaintiffs and/or the proposed Indirect Purchaser Plaintiffs Class.

F. Interim Liaison Counsel shall (a) communicate with the Court on behalf of

Interim Co-Lead Counsel or other class counsel, (b) receive and distribute any notices, orders, motions, briefs or other correspondence that are not filed on ECF on behalf of and among Interim Co-Lead Counsel or other class counsel, (c) sign and file all papers and stipulations (*via* ECF or by hand, as appropriate), and (d) perform any other function the Court may request.

G. On a monthly basis, Interim Co-Lead Counsel shall collect reports of contemporaneously prepared attorney and paralegal time and expense records from each firm working on behalf of Indirect Purchaser Plaintiffs. On a monthly basis, each Plaintiffs' firm that may seek an award of a fee by the Court shall transmit to Interim Co-Lead Counsel a report summarizing according to each separate activity the time and expense spent by its members, associates or staff during the preceding month, the ordinary billing rates of such attorneys in effect during that time, and the accumulated total of the firm's time, hourly rates and expenses to date in a format to be established by Interim Co-Lead Counsel.

II. CONSOLIDATION AND COORDINATION OF ACTIONS

A. Pursuant to Federal Rule of Civil Procedure 42(a), the Court DIRECTS the above-captioned actions to be consolidated for all pre-trial and trial proceedings.

1. The Court establishes Case No. 3:18-cv-00850 as the lead case. All pleadings filed in the lead case or in any related indirect purchaser action later consolidated shall include the identification "Lead Civil Action No. 3:18-cv-00850."

2. Every pleading filed in connection with this action shall include the following caption:

**IN RE: INTERIOR MOLDED DOORS
INDIRECT PURCHASER ANTITRUST
LITIGATION**

Lead Civil Action No. 3:18-cv-00850

3. The Court DIRECTS the Clerk to file this Order in the lead case and in all underlying cases.

4. The Court DIRECTS counsel to notify the Court of the filing or transfer of any new case that might be consolidated with this action.

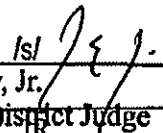
B. If further actions are filed that the parties believe should be consolidated with this case, the parties shall move the Court to consolidate the later cases with this case.

III. PRELIMINARY SCHEDULE OF PROCEEDINGS

A. Within 14 days of appointment of Interim Co-Lead counsel for the proposed Indirect Purchaser Plaintiffs class or the consolidation of the two above-referenced cases, whichever is earlier, the parties shall meet and confer on a proposed preliminary schedule of proceedings, including the filing of a consolidated complaint. Unless otherwise ordered by the Court, Defendants shall not be required to respond to the *Dellatore* or *Knight* complaints prior to entry of a preliminary schedule of proceedings.

IT IS SO ORDERED.

Dated: 26 Dec., 2018



John A. Gibney, Jr.
United States District Judge
HON. JOHN A. GIBNEY, JR.
UNITED STATES DISTRICT JUDGE