

James E. Cecchi
Lindsey H. Taylor
**CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.**
5 Becker Farm Road
Roseland, New Jersey 07068
(973) 994-1700

Scott A. Bursor
Joseph I. Marchese
BURSOR & FISHER, P.A.
369 Lexington Avenue, 10th Floor
New York, New York 10017
(212) 989-9113

Antonio Vozzolo
Christopher Marlborough
FARUQI & FARUQI, LLP
369 Lexington Avenue, 10th Floor
New York, New York 10017
(212) 983-9330

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHARLENE DZIELAK and SHELLEY
BAKER, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

WHIRLPOOL CORPORATION, LOWE'S
COMPANIES, INC., and SEARS HOLDINGS
CORPORATION,

Defendants.

Civil Action No. 2:12-00089(SRC)(MAS)

**ORDER APPOINTING
INTERIM CLASS COUNSEL**

THIS MATTER having been opened to the Court by Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. ("Carella Byrne"), Bursor & Fisher, P.A., ("Bursor"), and Faruqi & Faruqi, LLP ("Faruqi") attorneys for Plaintiffs Charlene Dzielak and Shelley Baker, and the Court having considered all submissions and for good cause appearing,

IT IS THIS 21 day of ^{Feb}~~January~~, 2012

ORDERED as follows:

1. The law firms of Carella Byrne, Bursor and Faruqi are appointed Interim Lead Class Counsel.
2. Carella Byrne, Bursor and Faruqi (together "Interim Lead Class Counsel") shall be responsible for coordinating the activities on behalf of the putative class during pretrial proceedings and shall have the sole authority to:
 - 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 position of the Plaintiffs and the putative class on all matters arising during pretrial proceedings;
 - b. coordinate the initiation and conduct of discovery on behalf of Plaintiffs consistent with the requirements of the Federal Rules;
 - c. conduct settlement negotiations on behalf of Plaintiffs and the putative class, and, if appropriate, to enter into a settlement that is fair, reasonable and adequate on behalf of the class;
 - d. delegate specific tasks to other counsel in a manner to ensure that pretrial preparation for the Plaintiffs is conducted efficiently and effectively;
 - e. enter into stipulations with opposing counsel as necessary for the conduct of the litigation;
 - f. monitor the activities of all counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided;
 - g. perform such other duties as may be incidental to the proper coordination of Plaintiffs' pretrial activities or authorized by further order of the Court.



STANLEY R. CHESLER, U.S.D.J.