

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KAMIL WILKINSON, *individually and*)
on behalf of all others similarly situated,)

Plaintiff,)

vs.)

Case No. 4:24-cv-00881-MTS

FUTUREFUEL CORP., *et al.*,)

Defendants.)

ORDER

This putative class action asserting claims under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) is before the Court on Movants Shehzad Virani and Soneri Investments Inc.’s Motion for Appointment as Lead Plaintiffs and Approval of Lead Counsel and Liaison Counsel. Doc. [20]. No one has opposed their Motion. The Court concludes that Shehzad Virani and Soneri Investments Inc. (“Movants”) have the largest financial interest in the relief sought by the Class and otherwise satisfy the requirements of Section 21D of the Exchange Act and Rule 23 of the Federal Rules of Civil Procedure. In accordance with Section 21D(a)(3)(B)(v) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B)(v), Movants seek approval of their selection of Faruqi & Faruqi, LLP to serve as Lead Counsel and Unglesby & Crompton to serve as Liaison Counsel for the Class. No one has opposed their selection.

The Court having considered Movants' Motion for Appointment as Lead Plaintiffs and Approval of Lead Counsel and Liaison Counsel, and all supporting documents, and good cause appearing therefore,

IT IS HEREBY ORDERED:

1. Shehzad Virani and Soneri Investments Inc.'s Motion to Serve as Lead Plaintiffs in the Consolidated Action, Doc. [20], is **GRANTED**. Pursuant to Section 21D of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), Movants are **APPOINTED** as Lead Plaintiffs for the putative Class.

2. Fiona Pineda's Motion to Appoint Lead Plaintiff and to Approve Lead Plaintiff's Selection of Counsel, Doc. [15], is **DENIED**.

3. The Motion of Movants for approval of their counsel to serve as Lead Counsel and Liaison Counsel is **GRANTED**. Pursuant to Section 21D of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B)(v), Faruqi & Faruqi, LLP is approved to serve Lead Plaintiffs and the Class as Lead Counsel. Unglesby & Crompton is approved to serve Lead Plaintiffs and the Class as Liaison Counsel. **Counsel that has thus far appeared on the motions and other papers shall file necessary motions for admission pro hac vice forthwith.**

4. Lead Counsel shall have the following responsibilities and duties, to be carried out either personally or through counsel who Lead Counsel shall designate as appropriate:

- a. to coordinate the briefing and argument of any and all motions;
- b. to coordinate the conduct of any and all discovery proceedings;

c. to coordinate the examination of any and all witnesses in depositions;

d. to coordinate the selection of counsel to act as spokesperson at all pretrial conferences;

e. to call meetings of the Plaintiffs' counsel as they deem necessary and appropriate from time to time;

f. to coordinate all settlement negotiations with counsel for Defendants;

g. to coordinate and direct the pretrial discovery proceedings and the preparation for trial and the trial of this matter and to delegate work responsibilities to selected counsel as may be required;

h. to coordinate the preparation and filings of all pleadings; and

i. to supervise all other matters concerning the prosecution or resolution of the action.

5. With respect to scheduling and/or procedural matters, Defendants' counsel may rely upon all agreements with Lead Counsel.

6. No pleadings or other papers shall be filed or discovery conducted by any plaintiff in the action except as directed or undertaken by Lead Counsel.

7. Counsel in any related action that is consolidated with this action shall be bound by this organizational structure.

8. With respect to any documents that are not subject to electronic filing as specified in the Court's electronic filing rules and procedures, Defendants shall effect

service of papers on Lead Plaintiffs by serving copies on Lead Counsel by overnight delivery service, telecopy, hand delivery or electronic mail. With respect to any documents that are not subject to electronic filing as specified in the Court’s electronic filing rules and procedures, Lead Plaintiffs shall effect service of papers on Defendants by serving copies on each of their counsel by overnight delivery service, telecopy, hand delivery, or electronic mail. Courtesy copies of all filings so delivered shall be sent by telecopy to Lead Counsel, or Defendants’ counsel, as applicable.

9. Every pleading, motion, and other paper filed in this action shall bear the following caption:

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

<i>In re</i> FUTUREFUEL CORP.,)	
SECURITIES LITIGATION)	
)	
)	Case No. 4:24-cv-00881-MTS
)	
)	

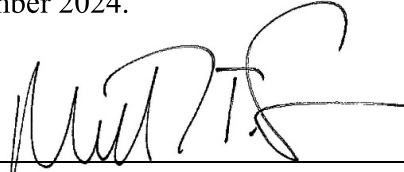
10. All related actions subsequently filed in, or transferred to, this District shall be consolidated into this action and subject to this Order.

11. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action upon a proper showing.

12. The Joint Motion for Entry of Stipulation, Doc. [14], is **GRANTED** in that Defendants need not file any response to the original complaint. No later than **Friday, September 27, 2024**, the parties shall meet and file a joint proposed scheduling plan with

proposed deadlines for Lead Plaintiffs to file a consolidated amended complaint, or designate an operative complaint, and for Defendants to file their required response thereto.

So **ORDERED** this 18th day of September 2024.

A handwritten signature in black ink, appearing to read 'M. T. Schelp', written over a horizontal line.

MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE