

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re: Consumer Vehicle Driving Data
Tracking Collection

CIVIL ACTION FILE
No. 1:24-MD-3115-TWT

ORDER APPOINTING PLAINTIFFS' LEADERSHIP

This matter is before the Court on motions to create and appoint Plaintiffs' leadership structure in this Consumer Vehicle Driving Data Tracking Collection MDL. Having considered the submissions, the Court hereby creates two separate litigation tracks: one track for the General Motors ("GM") and OnStar ("OnStar") defendants ("OnStar"); and one track for the LexisNexis Risk Solutions Inc. ("LNRS") and Verisk Analytics, Inc. ("Verisk") defendants ("LNRS/Verisk"). In Case Management Order No. 1 ("CMO No. 1"), this Court set forth the main criteria it would consider in appointing leadership positions in this matter, including: (1) willingness and ability to commit to a time-consuming process; (2) ability to work cooperatively with others; (3) professional experience in this type of litigation; and (4) access to sufficient resources to advance the litigation in a timely manner. Having considered all timely submissions in light of the criteria set forth in CMO No. 1, the Manual for Complex Litigation, and Federal Rule of Civil Procedure 23(g), and

having considered all applications, the Court hereby appoints the following leadership:

A. MDL CO-LEAD COUNSEL TO OVERSEE ALL LITIGATION.

Norman E. Siegel
Stueve Siegel Hanson LLP
460 Nichols Road, Suite 200
Kansas City, MO 64112

John R. Bevis
The Barnes Law Group, LLC
31 Atlanta Street
Marietta, GA 30060

The MDL Co-Lead Counsel are also hereby designated as Co-Interim Class Counsel pursuant to Rule 23(g) to “act on behalf of a putative class before determining whether to certify the action as a class action.” *See* FED. R. CIV. P. 23(g)(3).

B. TRACK CO-LEAD COUNSEL FOR ONSTAR AND LNRS/VERISK LITIGATION TRACKS.

1. OnStar Litigation Track Co-Lead Counsel

Amy E. Keller
DiCello Levitt LLP
Ten North Dearborn Street
Ste Sixth Floor
Chicago, IL 60602

Bryan L. Clobes
Cafferty Clobes Meriwether &
Sprengel LLP-IL
135 S. LaSalle, Suite 3210
Chicago, IL 60603

2. LNRS/Verisk Litigation Track Co-Lead Counsel

Joseph P. Guglielmo
Scott+Scott Attorneys at Law LLP
230 Park Avenue
17th Floor
New York, NY 10169

Sabita J. Soneji
Tycko & Zavareei LLP
The Tower Building
1970 Broadway, Suite 1070
Oakland, CA 94612

C. PLAINTIFFS' STEERING COMMITTEE FOR THE ONSTAR AND LNRS/VERISK LITIGATION TRACKS.

OnStar Steering Committee

Kiley Grombacher
Bradley/Grombacher, LLP
Suite 130
2815 Towngate Road
Westlake Village, CA

Emily E. Hughes
The Miller Law Firm, P.C.
950 West University Drive
Suite 300
Rochester, MI 48307

Thomas E. Loeser
Cotchett Pitre & McCarthy LLP
999 N. Northlake Way, Suite 215
Seattle, WA 98103

P. Graham Maiden
Motley Rice LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464

Adam E. Polk
Girard Sharp LLP
601 California Street, Suite 1400
San Francisco, CA 94108

John A. Yanchunis
Morgan & Morgan Complex Litigation
Group
201 N. Franklin Street, 7th Floor
Tampa, Florida 33602

LNRS/Verisk Steering Committee

Stuart A. Davidson
Robbins Geller Rudman & Dowd LLP -
BR FL
225 NE Mizner Boulevard, Suite 720
Boca Raton, FL 33432

Gayle M. Blatt
Casey Gerry Schenk Francavilla Blatt &
Penfield, LLP
110 Laurel Street
San Diego, CA 92101

Gary S. Graifman
Kantrowitz, Goldhamer & Graifman, P.C.
135 Chesnut Ridge Road, Suite 200
Montvale, NJ 07645

Jennifer M. French
Lynch Carpenter, LLP
1234 Camino Del Mar
Del Mar, CA 92014

Jeffrey M. Ostrow
Kopelowitz Ostrow P.A.
One West Law Olas Blvd., Suite 500
Fort Lauderdale, FL 33301

Chris Springer
Keller Rohrback LLP – CA
Suite 301
801 Garden Street
Santa Barbara, CA 93101

D. PLAINTIFFS' LIAISON COUNSEL.

M. Brandon Smith

Childers, Schlueter & Smith, LLC
132 N. Druid Hills Road, Suite 100
Atlanta, GA 30319

E. DUTIES OF MDL CO-LEAD COUNSEL.

1. In consultation with Track Co-Lead Counsel, coordinate, direct, and manage the litigation activities of all Plaintiffs' counsel to assure completion of Plaintiffs' pretrial preparation is conducted effectively, efficiently, and economically, that schedules are met, and that unnecessary expenditures of time and expenses are avoided;

2. Facilitate, coordinate, direct and manage the activities of Track Co-Lead Counsel and Plaintiffs' Steering Committees for the litigation tracks consistent with the directives of this Court;

3. Consult with and employ consultants or experts as necessary;

4. Coordinate with Track Co-Lead Counsel and the Plaintiffs' Steering Committees for the litigation tracks in all aspects of the litigation to fund the necessary and appropriate costs of discovery and other common benefit efforts, including the maintenance of a Plaintiffs' document depository, *see* Manual for Complex Litigation, Fourth § 40.261;

5. Coordinate settlement discussions or other dispute resolution efforts on behalf of the Plaintiffs, under the Court's supervision, if and as appropriate;

6. Enter into stipulations with other parties as necessary for the conduct of the litigation;
7. Prepare and distribute to the parties periodic status reports;
8. Maintain adequate time and disbursement records covering services as appointed counsel;
9. Submit to the Court and circulate to Plaintiffs' Counsel a time and expense reporting protocol consistent with this Order governing the submission and potential compensation of time and expenses generated in this matter;
10. Perform such other duties as may be incidental to proper coordination with Track Co-Lead Counsel and the Plaintiffs' Steering Committees for the litigation tracks' pretrial activities or as otherwise directed by further Order of the Court; and
11. Periodically communicate with the Court and non-leadership counsel as necessary or required to meet the demands of litigation.

F. DUTIES OF TRACK CO-LEAD COUNSEL.

1. Consult with Plaintiffs' MDL Co-Lead Counsel and perform those duties and responsibilities as directed by MDL Co-Lead Counsel; and
2. In consultation with Plaintiffs' MDL Co-Lead Counsel, direct the activities of the Plaintiffs' Steering Committees for the litigation tracts and ensure that such work is done as efficiently as possible.

G. DUTIES OF PLAINTIFFS' STEERING COMMITTEES FOR THE LITIGATION TRACKS.

Perform such work as directed by Plaintiffs' MDL Co-Lead Counsel and Track Co-Lead Counsel.

H. DUTIES OF PLAINTIFFS' LIAISON COUNSEL.

1. In consultation with MDL Co-Lead Counsel, communicate with the Court concerning scheduling and other administrative matters; and

2. Maintain an up-to-date, comprehensive Service List and promptly advise the Court and Defendants' counsel of changes to Plaintiffs' Service List.

I. OTHER RESPONSIBILITIES OF ALL PLAINTIFFS' COUNSEL.

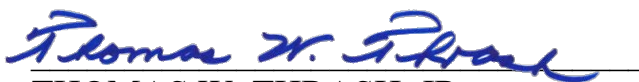
1. All counsel must keep a daily record of their time spent and expenses incurred in connection with this litigation, and must report on a monthly basis their expenses and hours worked to MDL Co-Lead Counsel according to the time and expense protocol annexed to this Order as **Exhibit A-1**.

2. In order for time and expenses to be compensable, those not serving in leadership positions must secure the express authorization of MDL Co-Lead Counsel for any projects or work undertaken in this litigation.

3. At least on a quarterly basis, beginning on **October 31, 2024**, and thereafter on the last business day of each January, April, and July, MDL Co-Lead Counsel shall submit to the Court in camera reports reflecting hours billed in this

matter by all Plaintiffs' counsel. Failure to maintain records with sufficient descriptions of the time spent and expenses incurred may be grounds for denying attorneys' fees and/or expenses, for the period that relates to the missing or inadequate submissions.

SO ORDERED, this 19th day of August 2024.


THOMAS W. THRASH, JR.
United States District Judge
Northern District of Georgia
Atlanta Division