28

1 2 3 4 5 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA 6 7 8 ROBERT A. MARGOLIS, an individual, on CASE NOS. 12-CV-288 JLS (WVG) 9 behalf of himself, all others similarly situated, and 12-CV-361 JLS (WVG) and the general public, **ORDER: GRANTING JOINT** 10 Plaintiffs. MOTION FOR CONSOLIDATION AND APPOINTMENT OF 11 VS. INTERIM CO-LEAD COUNSEL 12 THE DIAL CORPORATION; HENKEL 13 CONSUMER GOODS, INC.; HENKEL CORPORATION; HENKEL OF AMERICA, 14 INC., Defendants. 15 16 FRANK ORTEGA, an individual, on behalf of himself, all other similarly situated, and 17 the general public, 18 Plaintiffs. 19 VS. 20 THE DIAL CORPORATION; HENKEL 21 CONSUMER GOODS, INC.; HENKEL CORPORATION; HENKEL OF AMERICA, 22 INC., Defendants. 23 24 Presently before the Court are two related cases, Margolis v. The Dial Corporation, et al., 25 Case No. 12-CV-288 JLS (WVG), and Ortega v. The Dial Corporation, et al., Case No. 12-CV-26 361 JLS (WVG). Plaintiffs Robert A. Margolis and Frank Ortega, along with Defendant The Dial 27

Corporation, bring this joint motion to consolidate cases and appoint interim co-lead counsel.

	1
	2
	3
	4
	5
	6
	7
	8
	9
1	0
1	1
1	2
1	3
1	4
1	5
1	6
1	7
1	8
1	9
2	0
2	1
2	2
2	3
2	4
2	5
2	6
2	7
า	Q

(ECF No. 10.) The parties attest that these actions meet the standard for consolidation pursuant to Fed. R. Civ. P. 42, as they share a common question of law or fact.

Upon consideration of the foregoing motion, the papers submitted in support, and good cause appearing, **IT IS HEREBY ORDERED** that the motion is **GRANTED** as follows:

- 1. The above-referenced actions shall be consolidated onto a single docket and bear the civil case number of 12-CV-288 JLS (WVG) (the "Consolidated Action"). The Consolidated Action shall bear the name: *Margolis*, *et al. v. The Dial Corporation*, *et al.*
- 2. All future filings in the Consolidated Action shall use the following caption: *Margolis*, *et al. v. the Dial Corporation*, *et al.*, and bear the Case No.: 12-CV-288 JLS (WVG).
- 3. Plaintiffs' counsel, The Law Offices of Ronald A. Marron (including attorney Ronald A. Marron, Esq.) and the Salas Wang LLC (including attorney Jeffrey M. Salas, Esq.), are hereby appointed as Interim Co-Lead Class Counsel.
- 4. Interim Co-Lead Class Counsel shall be responsible for coordinating the activities of Plaintiffs 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 on all matters arising during the 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;
 - 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.

- 2 - 12cv288: 12cv361

	1
	2
	3
	4
	5
	6
	7
	8
	9
1	0
1	1
1	2
1	3
1	4
1	5
1	6
1	7
1	8
1	9
2	0
2	1
2	2
2	3
2	4
2	5
2	6
2	7

5. Plaintiffs' counsel shall file a Consolidated Amended Complaint within 30 days of this Order. Defendants are not required to respond to the original complaints filed in these actions.

Honorable Janis L. Sammartino
United States District Judge

IT IS SO ORDERED.

DATED: March 1, 2012

28

- 3 -

12cv288; 12cv361