

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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TEJINDER SINGH, Individually and On Behalf of :  
All Others Similarly Situated, :

Plaintiff, :

vs. :

ORTHOFIX INTERNATIONAL N.V., ALAN W. :  
MILINAZZO, BOB VATERS, BRIAN :  
MCCOLLUM, BRAD MASON, AND EMILY :  
BUXTON, :

Defendants. :  
----- X

Case No.: 1:13-cv-05696-JGK

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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/27/2013

~~PROPOSED~~ ORDER

Having considered the papers filed in support of the Motion of Plumbers & Pipefitters National Pension Fund (“Plumbers National Pension Fund” or “Movant”) for Appointment as Lead Plaintiff and Appointment of Lead Counsel, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”), at 15 U.S.C. § 78u-4, and for good cause shown, the Court hereby enters the following Order.

I. APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL

1. Plumbers National Pension Fund has moved the Court to be appointed Lead Plaintiff in this class action and to approve the counsel retained to be Lead Counsel.

2. Having considered the provisions of § 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), the Court hereby determines that Movant is the most adequate plaintiff and satisfies the requirements of the PSLRA. The Court hereby appoints Movant as Lead Plaintiff to represent the interests of the class in this Action.

3. Pursuant to § 21D(a)(3)(B)(v) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B)(v), Movant has selected and retained the law firm of Cohen Milstein Sellers & Toll PLLC to serve as Lead Counsel. The Court approves Movant’s selection of Lead Counsel for this Action.

4. Lead Counsel shall have the following responsibilities and duties:

- a. the briefing and argument of any and all motions;
- b. the conduct of any and all discovery proceedings;
- c. the examination of any and all witnesses in depositions;
- d. the selection of counsel to act as spokesperson at all pretrial conferences;
- e. the organization of meetings of plaintiffs’ counsel as they deem necessary and appropriate from time to time;

- f. settlement negotiations with counsel for defendants;
- g. the pretrial discovery proceedings and the preparation for trial and the trial of this matter, and delegation of work responsibilities to selected counsel as may be required;
- h. the preparation and filing of all pleadings; and
- i. the supervision of all other matters concerning the prosecution or resolution of the Action.

5. No motion, discovery request, or other pretrial proceedings shall be initiated or filed by any plaintiffs without the approval of Lead Counsel, so as to prevent duplicative pleadings or discovery by plaintiffs. No settlement negotiations shall be conducted without the approval of Lead Counsel.

6. Lead Counsel shall have the responsibility of receiving and disseminating Court orders and notices.

7. Lead Counsel shall be the contact between plaintiffs' counsel and defendants' counsel, as well as the spokespersons for all plaintiffs' counsel, and shall direct and coordinate the activities of plaintiffs' counsel. Lead Counsel shall be the contact between the Court and plaintiffs and their counsel.

## II. NEWLY-FILED OR TRANSFERRED ACTIONS

8. This Court requests the assistance of counsel in calling to the attention of the clerk of this Court the filing or transfer of any case which might properly be consolidated as part of the Action.

9. When a case that arises out of the subject matter of this Action is hereinafter filed in this Court or transferred from another Court, the Clerk of this Court shall:

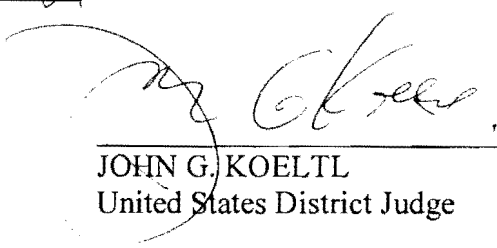
- a. file a copy of this Order in the separate file for such action;

- b. mail a copy of this Order to the attorneys for the plaintiff(s) in the newly filed or transferred case and to any new defendant(s) in the newly filed or transferred case; and
- c. make the appropriate entry in the docket for this action.

10. Each new case which arises out of the subject matter of this Action that is filed in this Court or transferred to this Court shall be consolidated with this Action and this Order shall apply thereto, unless a party objecting to this Order or any provision of this Order shall, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, file an application for relief from this Order or any provision herein and this Court deems it appropriate to grant such application.

IT IS SO ORDERED.

DATED: This 26 day of November 2013.

  
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JOHN G. KOELTL  
United States District Judge

*JK*