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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MDL No. 2672 CRB (JSC)

IN RE: VOLKSWAGEN “CLEAN DIESEL”  
MARKETING, SALES PRACTICES, AND  
PRODUCTS LIABILITY LITIGATION

**PRETRIAL ORDER NO. 2:  
APPLICATIONS FOR APPOINTMENT  
OF PLAINTIFFS’ LEAD COUNSEL  
AND STEERING COMMITTEE  
MEMBERS**

\_\_\_\_\_  
This Order Relates To:

ALL ACTIONS  
\_\_\_\_\_

In Pretrial Order No. 1 (Dkt. No. 2), the Court noted that it intended to appoint a Plaintiffs’ Steering Committee(s) to conduct and coordinate the pretrial stage of this litigation with the defendants’ representatives or committee. The Court thus issues this Order to set forth the schedule and procedure for appointing Plaintiffs’ lead counsel(s) and steering committee(s). The Court may appoint steering committee members whose primary responsibility is to represent the interests of particular categories of putative plaintiff class members, for example, car owners or lessees, or car dealership plaintiffs.

The Court requires individual application for a lead counsel or steering committee position. Any attorney who has filed an action in this MDL litigation may apply for a lead counsel or steering committee position or both. All applications must be e-filed in the Master file, 15-MD-2672, on or before **Friday, January 8, 2016**.

Each attorney’s application shall include a resume no longer than two pages and a letter no longer than three pages (single-spaced) addressing the following criteria:

- (1) professional experience in this type of litigation, including MDL experience as lead or liaison counsel and/or service on any plaintiffs’ committees or subcommittees;

1 (2) the names and contract information of judges before whom the applicant has appeared  
2 in the matters discussed in response to no. 1 above;

3 (3) willingness and ability to immediately commit to time-consuming litigation;

4 (4) willingness and ability to work cooperatively with other plaintiffs' counsel and defense  
5 counsel;

6 (5) access to resources to prosecute the litigation in a timely manner;

7 (6) willingness to serve as lead counsel, a member of a steering committee, or both;

8 (7) the particular category or categories of plaintiffs the applicant wants to specifically  
9 represent (vehicle owners, lessees, dealerships or all plaintiffs, etc.); and

10 (8) any other considerations that qualify counsel for a leadership position.

11 Applications may also include an attachment indicating the names of other counsel who  
12 have filed cases in this MDL litigation and support the applicant's appointment as lead counsel or  
13 a steering committee member.

14 All responses or objections to applications must be e-filed in the Master file, 15-MD-2672,  
15 on or before **Thursday, January 14, 2016** and are likewise limited to three single-spaced pages.  
16 The Court will hold an initial case management conference on Thursday, January 21, 2016; at that  
17 time applicants will have the opportunity to address the Court briefly in person. Thereafter, the  
18 Court will appoint lead counsel(s) and members of the steering committee(s) as promptly as  
19 practicable.

20 **IT IS SO ORDERED.**

21 Dated: December 22, 2015



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23 CHARLES R. BREYER  
24 United States District Judge  
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