

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Jason Quaife, individually and on behalf of)
all others similarly situated, et. al,)
)
Plaintiffs,)
)
vs.)
)
Brady Martz & Associates, P.C.,)
)
Defendant.)

Case No. 3:23-cv-176 (Lead Case)

ORDER

This litigation arises out of an alleged data breach in defendant’s “digital environment.” On October 19, 2023, the court granted plaintiffs’ unopposed motions to consolidate four cases pursuant to Federal Rule of Civil Procedure 42(a).

Plaintiffs now move for appointment of three lawyers—Nathan D. Prosser of Hellmuth & Johnson PLLC and David A. Goodwin of Gustafson Gluek PLLC—as interim co-lead counsel and Scott Haider of Schneider Law Firm as interim liaison counsel. (Doc. 12). Via email, defendant’s counsel confirmed defendant does not oppose the motion. The court finds appointment of interim co-lead counsel will further efficient prosecution of this action and finds proposed interim co-lead counsel are qualified to act in that capacity. Pursuant to Federal Rule of Civil Procedure 23(g)(3), plaintiffs’ motion is **GRANTED** and Nathan D. Prosser and David A. Goodwin are designated as interim co-lead counsel and Scott Haider is designated as interim liaison counsel.

Consistent with principles outlined in the Manual for Complex Litigation (Fourth), interim co-lead counsel shall have sole authority over the following matters on behalf of all plaintiffs: (a) the initiation, response, scheduling, briefing, and argument of all motions; (b) the scope, order, and conduct of all discovery proceedings on behalf of

plaintiffs and putative class members; (c) delegating work assignments to other plaintiffs' counsel as they may deem appropriate; (d) the retention of experts; (e) designation of attorneys who may appear at hearings and conferences with the court; (f) the timing and substance of any settlement negotiations with defendants; and (g) all other matters concerning the prosecution of or resolution of the consolidated cases.

No motion shall be initiated or filed on behalf of any plaintiff in the consolidated cases except through interim co-lead counsel.

Interim co-lead counsel shall have sole authority to communicate with defendant's counsel and the court on behalf of all plaintiffs unless that authority is expressly delegated to other counsel. Defendant's counsel may rely on all agreements made with interim co-lead counsel, and such agreements shall be binding on all other plaintiffs' counsel in the consolidated cases.

IT IS SO ORDERED.

Dated this 24th day of October, 2023.

/s/ Alice R. Senechal
Alice R. Senechal
United States Magistrate Judge