

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDY BROUSSEAU, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ARCTIC GLACIER U.S.A., INC.,

Defendant.

Case No. 2:25-cv-04440

CLASS ACTION

JURY TRIAL DEMANDED

**ORDER GRANTING PLAINTIFF'S MOTION TO
APPOINT INTERIM CO-LEAD CLASS COUNSEL**

This 17th day of September, 2025, the matter having come before the Court with a Motion to Appoint Interim Co-Lead Class Counsel pursuant to Fed. R. Civ. P. 23(g), and supporting materials, it is hereby **ORDERED** that the Motion is **GRANTED**, as follows:

1. Any action subsequently filed in, transferred to, or removed to this Court that arises out of the same or similar operative facts as this action shall be considered eligible for consolidation with this action for pre-trial purposes. Interim Co-Lead Class Counsel shall file a Notice of Related Action whenever a case that should be consolidated into this action is filed in, transferred to, or removed to this District. Interim Co-Lead Class Counsel shall also email Chambers to alert Judge McHugh's Civil Deputy about a case eligible for consolidation.

2. If the Court, pursuant to the procedures provided by its Local Rules, determines that the case is related, and the Chief Judge authorizes consolidation, the clerk shall make the appropriate notation on the docket, and Lead Counsel shall serve on counsel in the related actions a copy of this Order.

3. Pursuant to Fed. R. Civ. P. 23(g), the Court hereby appoints Benjamin F. Johns of Shub Johns & Holbrook LLP, Mariya Weekes of Milberg Coleman Bryson Phillips Grossman

PLLC, and Andrew W. Ferich of Ahdoot & Wolfson, PC as Interim Co-Lead Class Counsel to act on behalf of the Plaintiff and the class members in this action, with the responsibilities set forth below:

- 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 Plaintiff and the putative class on all matters arising during pretrial proceedings;
- b. Coordinate the initiation and conduct of discovery on behalf of Plaintiff and the putative class consistent with the requirements of the Federal Rules of Civil Procedure;
- c. Convene meetings amongst counsel;
- d. Conduct settlement negotiations on behalf of Plaintiff and the putative class;
- e. Negotiate and enter into stipulations with opposing counsel as necessary for the conduct and efficient advancement of the litigation;
- f. Monitor the activities of all counsel to ensure that schedules are being met and unnecessary expenditures of time and funds are avoided;
- g. Perform such other duties as may be incidental to the proper coordination of the Plaintiff's pretrial activities or authorized by further order of this Court;
- h. Serve as the primary contact for communications between the Court and other plaintiffs' counsel;
- i. Ensure that all notices, orders, and material communications are properly distributed (to the extent that they are not otherwise served on other plaintiffs' counsel via the Court's electronic filing system);
- j. Communicate with Defense counsel as necessary to promote the efficient advancement of this litigation;
- k. Make available to other plaintiffs' counsel documents produced by the Defendant; and
- l. Allocate attorneys' fees.

4. Any additional plaintiff's counsel will perform work in this litigation only at the direction of Interim Co-Lead Class Counsel. No motion, request for discovery, or other pretrial proceedings shall be initiated or filed by any plaintiff except through Interim Co-Lead Class Counsel and no other plaintiff's counsel or firm shall be authorized to file any papers or perform any work in the case without the express authorization of Interim Co-Lead Class Counsel.

5. Interim Co-Lead Class Counsel shall have sole authority to communicate with Defendant's counsel—including with respect to settlement and settlement negotiations—and the Court on behalf of any plaintiff unless that authority is expressly delegated to other counsel. Defendant's counsel may rely on all agreements made with Interim Co-Lead Class Counsel, and such agreements shall be binding on all other plaintiffs' counsel.

6. This Order shall apply to the above-captioned matter, any subsequently consolidated action, any actions consolidated with the above-captioned matter, and any actions filed in, transferred to, removed to, or otherwise sent to this Court relating to the facts and the data breach underlying this litigation.

7. Interim Co-Lead Class Counsel must serve a copy of this Order and all future orders promptly by overnight delivery service, facsimile, or other expeditious electronic means on counsel for plaintiffs in any related action to the extent that Interim Co-Lead Class Counsel are aware or become aware of any such action(s) and on all counsel for plaintiffs whose cases may be subsequently consolidated with the above actions.

8. The Plaintiff in this action shall file an operative, amended complaint within thirty (30) days of this Order. Defendant is relieved from responding to the initial complaint filed in this action. The parties will meet and confer about a motion to dismiss briefing schedule and submit a stipulated briefing schedule to the Court.

/s/ Gerald Austin McHugh
United States District Judge