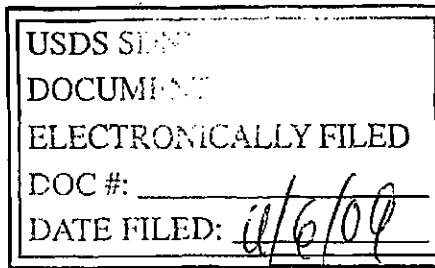


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LOCAL 73 ANNUITY FUND, et al.

Plaintiffs,

-against-

09 Civ. 3907 (CM)

J.P. JEANNERET ASSOCIATES, INC., et al.

Defendants.

ERNEST T. HARTMAN, et al.

Plaintiffs,

-against-

09 Civ. 8278 (CM)

IVY ASSET MANAGEMENT L.L.C., et al.

Defendants.

PLUMBERS & STEAMFITTERS LOCAL 267
PENSION FUND, et al.

Plaintiffs,

-against-

09 Civ. 7584 (CM)

J.P. JEANNERET ASSOCIATES, INC., et al.

Defendants.

_____ x
BOARD OF TRUSTEES OF THE BUFFALO
LABORERS SECURITY FUND, et al.

Plaintiffs,

-against-

09 Civ. 8362 (CM)

J.P. JEANNERET ASSOCIATES, INC., et al.

Defendants.

_____ x

ORDER CONSOLIDATING THE RELATED CASES FOR PRETRIAL PURPOSES;
APPOINTING LEAD PLAINTIFFS AND LEAD COUNSEL ON BEHALF OF THE
PUTATIVE CLASS OF SECURITIES CLAIMANTS; AND SETTING A SCHEDULE FOR
AMENDING THE PLEADINGS AND THE BRIEFING OF ANTICIPATED MOTIONS

McMahon, J.:

IT IS HEREBY ORDERED THAT:

Consolidation of Cases

Having concluded that the interests of justice will be served if the above-captioned actions are consolidated for pretrial purposes, and in accordance with the proceedings at the status conference held today before the Court, the four above-captioned actions are hereby consolidated for all pretrial purposes pursuant to Federal Rule of Civil Procedure 42(a). The above-captioned actions (the "Consolidated Actions") shall be collectively referred to as "In re J.P. Jeanneret Associates, Inc., et al."

A Master File is hereby established for the consolidated proceedings in In re J.P. Jeanneret Associates, Inc., et al. The case number for the Master File shall be 09 Civ. 3907. The Clerk shall file the original of this Order in the Master File and shall enter this Order in the dockets for each of the four Consolidated Actions.

A Master Docket is hereby established for the consolidated proceedings in In re J.P. Jeanneret Associates, Inc., et al. The case number for the Master Docket likewise shall be 09 Civ. 3907. Going forward, the Clerk of the Court shall file all documents applicable to any of the Consolidated Actions in the Master File and shall enter such filing in the Master Docket. No further copies need be filed or docket entries made.

All documents hereafter filed in any of the Consolidated Actions shall bear the following case caption:

_____ x
IN RE J.P. JEANNERET ASSOCIATES, INC., et al.

This Document Relates To:

Master File No.
09 Civ. 3907 (CM)

_____ x

When a document is intended to apply to all of the Consolidated Actions, the words “All Actions” shall appear immediately after the words “This Document Relates To:” in the caption set forth above. When a document is intended to apply to some, but not all, of the Consolidated Actions, the case number(s) for the action(s) to which the document is intended to apply shall be specified.

If an action related to the subject matter of the Consolidated Actions is hereafter filed in this Court or transferred to this Court from another court, the Clerk of the Court shall:

- file a copy of this Order in the file for the newly filed or transferred action;
- notify all counsel of record in the Consolidated Actions of the filing or transfer of said action;

- make an appropriate entry in the Master Docket reflecting the filing or transfer of said action;
- mail to counsel of record in the newly filed or transferred action a copy of this Order; and
- upon the appearance of any new defendant(s) in the newly filed or transferred action, mail to counsel for said defendant(s) a copy of this Order.

All counsel shall assist the Clerk of the Court by calling to the Clerk's attention the filing or transfer of any case that might be properly consolidated with In re Jeanneret Associates, Inc., et al.

This Order shall presumptively apply to any action hereafter filed in or transferred to this Court that arises out of or is related to the same facts and claims alleged in the complaints in the Consolidated Actions. If a party objects to the consolidation of such an action, or to the application thereto of any provision in this Order, the objecting party must file with this Court, within 10 days of the date upon which a copy of this Order is mailed to counsel for that party, an application for relief from consolidation or from any provision in this Order, in which case this Court will consider the application. This Order shall apply to the newly filed or transferred action pending the Court's ruling on the application.

The terms of this Order shall not have the effect of making any person or firm a party to any action in which he, she or it has not been named, served or added as such in accordance with the Federal Rules of Civil Procedure.

Appointment of Securities Lead Plaintiffs and Lead Counsel

Good cause having been shown, The Local 73 Annuity Fund, The Local 73 Retirement Fund and the Plumbers and Steamfitters Local 267 Pension Fund (collectively, the "Securities

Lead Plaintiffs”) are hereby appointed Lead Plaintiffs pursuant to section 21D(a)(3)(B) of the Securities Exchange Act of 1934, on behalf of the putative class of all *securities* claimants in the Consolidated Actions.

The Securities Lead Plaintiffs’ choice of Lowey Dannenberg Cohen & Hart, P.C., (“Lowey Dannenberg”) as lead counsel is hereby approved, and Lowey Dannenberg shall serve as lead counsel on behalf of the putative class of all *securities* claimants in the Consolidated Actions.

The Securities Lead Plaintiffs shall have 10 days from the date of this Order in which to file a consolidated amended complaint on behalf of the putative class of securities claimants.

Schedule for Appointment of ERISA Lead Plaintiffs and Lead Counsel

It is hereby further ORDERED that any motion for appointment of lead plaintiff(s) and lead counsel on behalf of the putative class of ERISA claimants in the Consolidated Actions must be made within 10 days of the date of this Order; and it is further

ORDERED that the Lead Plaintiffs appointed on behalf of the putative class of ERISA claimants shall have 10 days from the date of that appointment to file a consolidated amended complaint on behalf of the putative class of ERISA claimants.

Schedule for Defendants’ Motion to Dismiss

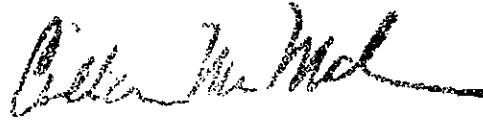
It is hereby further ORDERED that defendants in In re J.P. Jeanneret Associates, Inc., et al. shall file any motions to dismiss the consolidated amended complaints by January 15, 2010; and it is further

ORDERED that plaintiffs shall file their oppositions by February 19, 2010; and it is further

ORDERED that defendants shall file their replies by March 5, 2010; and it is further

ORDERED that briefs will not be subject to the 25-page limit specified in Judge
McMahon's Individual Practices.

Dated: November 6, 2009

A handwritten signature in black ink, appearing to read "Catherine M. McMahon", written in a cursive style.

U.S.D.J.

BY ECF TO ALL COUNSEL