

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In Re: Air Crash at Toronto
Pearson International Airport
on February 17, 2025

MDL No. 25-3155 (JWB/JFD)

**PRETRIAL ORDER NO. 3:
Appointing Co-Lead Counsel,
Plaintiffs' Executive Committee, and
Liaison Counsel**

Plaintiffs have filed a Motion to Appoint Co-Lead Counsel and Plaintiffs' Executive Committee. (Doc. No. 19.) No opposition has been filed. After considering the motion, supporting materials, and relevant criteria, Plaintiffs have shown good cause to grant their proposal.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' Motion to Appoint Co-Lead Counsel and Plaintiffs' Executive Committee (Doc. No. 19) is **GRANTED** as follows:

1. Bryan L. Bleichner of Chestnut Cambronne PA and James R. Brauchle of Motley Rice LLC are appointed as Co-Lead Counsel.
2. Erin Applebaum of Kreindler & Kreindler LLP and Andres C. Pereira of DJC Law, PLLC are appointed as Co-Chairs of the Plaintiffs' Executive Committee.
3. Alicia N. Sieben of Schwebel, Goetz & Sieben is appointed as Liaison Counsel.
4. Nomi Husain of Husain Law & Associates; Jeff Storms of Storms Dworak,

LLC; Tola Familoni of Motley Rice, LLC; and Justin Green of Kreindler & Kreindler LLP are appointed as members of the Plaintiffs' Executive Committee.

5. The above appointments are for a term of **one year** from the date of this Order. Counsel must re-apply annually to ensure continued dedication, alignment with litigation needs, and adherence to the standards issued by the Court.

6. Co-Lead Counsel, along with the Co-Chairs of the Plaintiffs' Executive Committee and Liaison Counsel as designated, shall assume responsibility for the following duties during all phases of litigation:

- a. Coordinating the work of preparing and presenting all of Plaintiffs' claims and otherwise coordinating all proceedings, including organizing and supervising the efforts of Plaintiffs' Counsel in a manner to ensure that Plaintiffs' preparation is conducted effectively, efficiently, expeditiously, and economically.
- b. Delegating work responsibilities and monitoring the activities of all Plaintiffs' Counsel in a manner to promote the orderly and efficient conduct of this litigation and to avoid unnecessary duplication and expense.
- c. Calling meetings of Plaintiffs' Counsel for any appropriate purpose, including coordinating responses to questions of other parties or of the Court, and initiating proposals, suggestions, schedules, and any other appropriate matters.
- d. Determining (after consultation with other co-counsel as may be appropriate) and presenting (in briefs, oral argument, or such other fashion as his/her designee may deem appropriate) to the Court and opposing parties the position of the Plaintiffs on all matters arising during pretrial (and, if appropriate, trial) proceedings.
- e. Serving as the primary contact for all communications between Plaintiffs and Defendants, and acting as spokespersons for all Plaintiffs vis-à-vis Defendants and the Court.
- f. Directing and executing on behalf of Plaintiffs the filing of pleadings

and other documents with the Court.

- g. Appearing at all court hearings and conferences regarding the case as most appropriate for effective and efficient representation, and speaking for Plaintiffs at all such hearings and conferences.
- h. Receiving and initiating communication with the Court and the Clerk of Court (including receiving orders, notices, correspondence, and telephone calls) and dispensing the content of such communications among Plaintiffs' Counsel.
- i. Maintaining adequate files of all pretrial matters and have them available, under reasonable terms and conditions, for examination by Plaintiffs or their attorneys.
- j. Initiating, coordinating, and conducting discussions and negotiations with counsel for Defendants on all matters, including settlement. Any stipulation entered with counsel for Defendants must be submitted for court approval, except for purely administrative stipulations. Any attorney not in agreement with a non-administrative stipulation may file a written objection within 14 days after they know or reasonably should have become aware of the stipulation. Failure to timely object shall be deemed a waiver, and the stipulation shall be binding on that party.
- k. Selecting, consulting with, and employing experts for Plaintiffs, as necessary.
- l. Encouraging and enforcing efficiency among all Plaintiffs' Counsel.
- m. Assessing Plaintiffs' Counsel for the costs of the litigation.
- n. Preparing and distributing periodic status reports to the Court and to the parties as ordered, including a report to the Court **every 3 months** on case management, discovery, settlement discussions, and any other matters of importance in this litigation.
- o. Developing and recommending for court approval practices and procedures pertaining to attorneys' fees and expenses and, on an ongoing basis, monitoring and administering such procedures. Plaintiffs' attorneys' fees proposal must be submitted for approval within **60 days** after this Order.

- p. Performing such other duties as are necessary in connection with the prosecution of this litigation or as further directed by the Court.

7. Pursuant to Pretrial Order No. 2, in advance of each status conference, Co-Lead Counsel and counsel for Defendants shall meet and confer regarding the agenda for the conference. Unless otherwise ordered, Co-Lead Counsel and counsel for Defendants shall file a joint notice setting out the proposed agenda and the parties' joint and/or respective positions no later **one week** prior to each status conference.

8. This Order applies to the above-captioned consolidated matter and all subsequently consolidated actions.

9. Co-Lead Counsel must serve a copy of this Order and all future orders promptly by overnight delivery, facsimile, or other expeditious electronic means on:

- a. Counsel for Plaintiffs in each related action not yet consolidated in this proceeding, to the extent that Co-Lead Counsel is aware of any such action(s); and
- b. All attorneys for Plaintiffs whose cases have been so consolidated but who have not yet registered for ECF.

Date: October 29, 2025

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge