

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER #23
(Revisions to Plaintiffs' Steering Committee)**

After careful review of the recent applications for membership to the Plaintiffs' Steering Committee ("PSC") and consultation with Plaintiffs' Co-Lead counsel, the court has determined that having the following attorneys serve on the PSC would benefit the parties and the court relative to the timely and efficient progression of this multi-district litigation:

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Each of these applicants meets the criteria for PSC membership outlined in Pretrial Order #2. Accordingly, it is hereby **ORDERED** that attorneys W. Mark Lanier, John M. O'Quinn and James J. Pettit shall serve on the PSC.

In addition, PSC member Erick Rosemond is no longer with the appointee's law firm of Hissey Kientz, L.L.P.. In accordance with Pretrial Order #4, Plaintiff's Co-Lead counsel has requested court approval of the substitution of Shamus Mulderig of the same firm to the PSC. Having found that he is equally qualified to serve on the PSC, it is hereby **ORDERED** that Shamus Mulderig shall serve on the PSC in substitution of formerly appointed Erick Rosemond.

Shamus Mulderig
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The duties and responsibilities of PSC members outlined in Pretrial Order #4 shall continue to apply to all PSC members.

It is with regret and appreciation for her service that the court accepts the voluntary resignation of Teresa Toriseva from the PSC. Plaintiffs Co-Lead Counsel has advised the court that the PSC Chairperson's duties and responsibilities outlined in Pretrial Order #4 will be subsumed by the PSC itself. In accordance with her voluntary resignation, it is hereby **ORDERED** that Teresa Toriseva is excused from the PSC.

Enter: May 29, 2009


Joseph R. Goodwin, Chief Judge