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v. Countrywide Financial Corp., et al.,
Case No. BC 380698

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Attorneys for Plaintiff in *Washington State Plumbing,*
etc., et al. v. Countrywide Financial Corp. etc., et al.
Case No. BC 392571

ORIGINAL FILED

OCT 06 2008

**LOS ANGELES
SUPERIOR COURT**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

DAVID H. LUTHER; etc.

Plaintiff,

v.

COUNTRYWIDE FINANCIAL
CORPORATION, a Delaware corporation;
etc., et al.

Defendants.

CASE NO. BC 380698
CLASS ACTION

WASHINGTON STATE PLUMBING
& PIPEFITTING PENSION TRUST,
etc., et al.,

Plaintiffs,

v.

COUNTRYWIDE FINANCIAL
CORPORATION, a Delaware corporation;
etc., et al.

Defendants.

CASE NO. BC 392571
CLASS ACTION
**STIPULATION AND ~~PROPOSED~~
ORDER FOR APPOINTMENT OF
LEAD PLAINTIFF AND CO-LEAD
COUNSEL**

[Assigned to the Hon. Emilie H. Elias,
Dept. 308 (Complex Litigation)]

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1 **TO THE HONORABLE COURT:**

2 WHEREAS, Plaintiff DAVID LUTHER, through its counsel Coughlin Stoia Geller
3 Rudman & Robbins, LLP, commenced the first of the above-captioned class actions against
4 Countrywide Financial Corporation, et al. in this Court on November 14, 2007, which was
5 removed on December 14, 2007 and remanded to this Court on September 3, 2008 (the "Luther
6 Action");

7 WHEREAS, Plaintiff WASHINGTON STATE PLUMBING & PIPEFITTING PENSION
8 TRUST, through its counsel Schiffrin Barroway Topaz & Kessler LLP, commenced the second of
9 the above-captioned class actions against Countrywide Financial Corporation, et al. in this Court
10 on June 12, 2008 (the "Washington Action");

11 WHEREAS, the complaint in the Luther Action was amended on September 9, 2008 and
12 the Plaintiffs VERMONT PENSION INVESTMENT COMMITTEE, MASHREQBANK, P.S.C.,
13 OPERATING ENGINEERS ANNUITY PLAN, and PENSION TRUST FUND FOR
14 OPERATING ENGINEERS were joined to the Luther Action;

15 WHEREAS, the Plaintiffs in the Luther Action filed a motion on September 9, 2008 for the
16 consolidation of the Washington Action and Luther Action and the appointment of lead counsel
17 and simultaneously sought an expedited hearing on the motion (the "Motion");

18 WHEREAS, on September 12, 2008, this Court held a hearing at which time the Court (1)
19 consolidated the Luther Action and Washington Action as related cases and designated the Luther
20 Action as the lead case, (2) instructed counsel in the Luther Action and Washington Action to
21 attempt to resolve the issues raised in the Motion, and (3) if the parties were unable to resolve the
22 issues raised in the Motion, directed Washington to file a competing motion by October 2, 2008;

23 WHEREAS, following the September 12, 2008 hearing, counsel for Washington also was
24 retained by MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM ("Maine") to represent it in
25 the Washington Action;

26 WHEREAS, counsel in the Luther Action and counsel in the Washington Action, pursuant
27 to the Court's instructions, have met and conferred and believe that cooperation among counsel and
28 plaintiffs in the Luther Action and Washington Action is in the best interests of the putative class.


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NOW THEREFORE the parties agree as follows:

- (1) Plaintiffs in the Washington Action, including Maine, and the Luther Action shall be appointed as co-lead plaintiffs in the consolidated actions;
- (2) The law firms of Coughlin Stoia Geller Rudman & Robbins, LLP and Schiffrin Barroway Topaz & Kessler LLP shall serve as co-lead counsel on behalf of the class defined in the consolidated actions;
- (3) Co-lead counsel shall file a consolidated complaint on or before October 16, 2008.


Dated: October 2, 2008

SCHIFFRIN BARROWAY TOPAZ & KESSLER LLP
Andrew L. Zivitz (admitted *pro hac vice*)
Sharan Nirmal (admitted *pro hac vice*)

BY: 

Attorneys for Plaintiff Washington State Plumbing & Pipefitting Pension Trust and Maine Public Employees Retirement System

COUGHLIN STOIA GELLER RUDMAN
& ROBBINS, LLP
Spencer A. Burkholtz (147029)
Daniel S. Drosman (200643)

BY: 

Attorneys for Vermont Pension Investment Committee, Mashreqbank, p.s.c., Operating Engineers Annuity Plan, and Pension Trust Fund for Operating Engineers

Dated: October 2, 2008

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[PROPOSED] ORDER

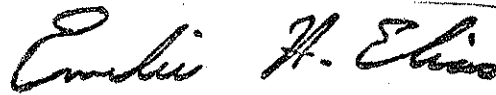
Pursuant to the Stipulation of counsel in the Luther Action and Washington Action, the Court hereby orders the following:

- (1) The law firms of Coughlin Stoia Geller Rudman & Robbins, LLP and Schiffrin Barroway Topaz & Kessler, LLP shall serve as co-lead counsel on behalf of the class defined in the consolidated actions, and Vermont Pension Investment Committee, Mashreqbank, p.s.c., Operating Engineers Annuity Plan, Pension Trust Fund for Operating Engineers, Washington State Plumbing & Pipefitting Pension Trust, and Maine Public Employees Retirement System shall serve as co-lead plaintiffs;
- (2) All related cases filed with or transferred to this Court shall be consolidated with the lead case, *Luther et al. v. Countrywide Financial Corp.*, et al., BC 380698;
- (3) Co-lead counsel shall file a consolidated complaint on or before October 16, 2008.

IT IS SO ORDERED,

Dated:

OCT 06 2008



HON. EMILIE H. ELIAS

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3)ss.
4 COUNTY OF LOS ANGELES)

5 I am employed in the county of Los Angeles, State of California. I am over the age of 18
6 and not a party to the within action; my business address is, 1055 West Seventh Street, Suite 2800,
7 Los Angeles, CA 90017. On October 2, 2008, I served the foregoing document described as:

8 **STIPULATION AND PROPOSED ORDER FOR**
9 **APPOINTMENT OF LEAD PLAINTIFF AND CO-LEAD COUNSEL**

10 X by placing ___ the original X a true copy thereof enclosed in sealed envelopes addressed
11 as follows:

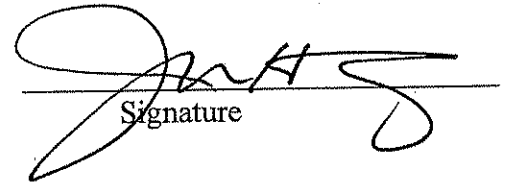
12 **SEE ATTACHED SERVICE LIST**

13 X BY U.S. MAIL: I deposited such envelope in the mail at Los Angeles, California. The
14 envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's
15 practice of collection and processing correspondence for mailing. Under that practice it would be
16 deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los
17 Angeles, California in the ordinary course of business. I am aware that on motion of the party
18 served, service is presumed invalid if postal cancellation date or postage meter date is more than
19 one day after date of deposit for mailing in affidavit.

20 X (State) I declare under penalty of perjury under the laws of the State of California
21 that the above is true and correct.

22 Executed on October 2, 2008 at Los Angeles, California.

23 Julie H. Yu
24 Name

25 
26 Signature

SERVICE LIST

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13 *Securities Corporation; CWALT, Inc.; CWMBS, Inc.; CWABS, Inc.; CWHEQ, Inc.; Issuing Trusts*
14 *(see Appendix One); Stanford L. Kurland; David A. Spector; Eric P. Sieracki; N. Joshua Adler;*
15 *Ranjit Kripalani; Jennifer S. Sandefur; David Sambol.*

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23 *Suisse Securities (USA) LLC, Greenwich Capital Markets, Inc., Lehman Brothers Inc., Barclays*
24 *Capital Inc., HSBC Securities (USA), BNP Paribas Securities Corp., Merrill Lynch, Pierce, Fenner*
25 *& Smith Incorporated*