

WHEREAS, on December 3, 2004, the Court appointed Glickenhau & Company (“Glickenhau”), PACE Industry Union–Management Pension Fund (“PIUMPF”), and the International Union of Operating Engineers Local No. 132 Pension Plan (“IUOE Local 132”) as class representatives and the law firm of Coughlin Stoia Gellar Rudman & Robbins LLP (“Coughlin Stoia”) as class counsel;

WHEREAS, PIUMPF has retained the law firm of Motley Rice LLC (“Motley Rice”) to represent it in all matters and wishes to add Motley Rice as class counsel;

WHEREAS, Motley Rice is qualified to participate in the prosecution of this action;¹

WHEREAS, the other class representatives do not oppose PIUMPF’s request to add Motley Rice as class counsel; and

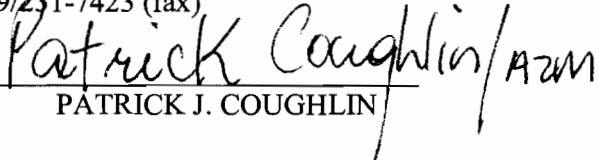
WHEREAS, the class representatives will ensure that the substitution of counsel does not result in delay or the duplication of effort;

THEREFORE, the class representatives respectfully request, subject to the Court’s approval, that Motley Rice be added as class counsel.

IT IS SO STIPULATED.

DATED: January 9, 2008

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PATRICK J. COUGHLIN

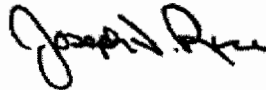
¹ The firm resume of Motley Rice is attached hereto as Ex. A.

COUGHLIN STOIA GELLAR
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Co-Lead Class Counsel for Plaintiffs

DATED: January 9, 2008

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Attorneys for Plaintiff

* * *

ORDER

IT IS SO ORDERED.

DATED: _____

THE HONORABLE RONALD A. GUZMAN
UNITED STATES DISTRICT COURT

DECLARATION OF SERVICE BY E-MAIL AND BY U.S. MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on January 9, 2008 declarant served by electronic mail and by U.S. Mail to the parties: **STIPULATION AND [PROPOSED] ORDER CONCERNING THE ADDITION OF CLASS COUNSEL**. The parties' email addresses are as follows:

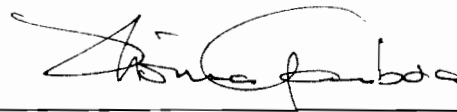
<u>TKavaler@cahill.com</u> <u>PSloane@cahill.com</u> <u>PFarren@cahill.com</u> <u>LBest@cahill.com</u> <u>DOwen@cahill.com</u>	<u>NEimer@EimerStahl.com</u> <u>ADeutsch@EimerStahl.com</u> <u>MMiller@MillerLawLLC.com</u> <u>LFanning@MillerLawLLC.com</u>
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and by U.S. Mail to:

Lawrence G. Soicher, Esq.
Law Offices of Lawrence G. Soicher
110 East 59th Street, 25th Floor
New York, NY 10022

David R. Scott, Esq.
Scott & Scott LLC
108 Norwich Avenue
Colchester, CT 06415

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of January, 2008, at San Francisco, California.



MONINA O. GAMBOA