



GRANTED

EFiled: Jan 29 2016 02:07PM EST
Transaction ID 58496521
Case No. Multi Case



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

RON BERGER, On Behalf of Himself and All Others)
Similarly Situated,)

Plaintiff,)

v.)

) C.A. No. 11815-CB

KEURIG GREEN MOUNTAIN, INC., NORMAN H.)
WESLEY, BARBARA D. CARLINI, JOHN D.)
HAYES, BRIAN P. KELLEY, A.D. DAVID)
MACKAY, MICHAEL J. MARDY, HINDA)
MILLER, DAVID E. MORAN, JOSÉ OCTAVIO)
REYES LAGUNES, SUSAN SALTZBART KILSBY,)
ROBERT A. STEELE, ACORN HOLDINGS B.V.,)
MAPLE HOLDINGS ACQUISITION CORP., JAB)
HOLDINGS B.V., and JAB HOLDING COMPANY,)

Defendants.)

CARL J. KAUFMANN, Individually and on behalf of)
all others similarly situated,)

Plaintiff,)

v.)

) C.A. No. 11826-CB

KEURIG GREEN MOUNTAIN, INC., NORMAN H.)
WESLEY, BARBARA D. CARLINI, JOHN D.)
HAYES, BRIAN P. KELLEY, A.D. DAVID)
MACKAY, MICHAEL J. MARDY, HINDA)
MILLER, DAVID E. MORAN, JOSÉ OCTAVIO)
REYES LAGUNES, SUSAN SALTZBART KILSBY,)
ROBERT A. STEELE, ACORN HOLDINGS B.V.,)
MAPLE HOLDINGS ACQUISITION CORP., and)
JAB HOLDINGS B.V.,)

Defendants.)

JOHN RESTIVO, Individually and on behalf of all
others similarly situated,

Plaintiff,

v.

KEURIG GREEN MOUNTAIN, INC., NORMAN H.
WESLEY, BARBARA D. CARLINI, JOHN D.
HAYES, BRIAN P. KELLEY, A.D. DAVID
MACKAY, MICHAEL J. MARDY, HINDA
MILLER, DAVID E. MORAN, JOSÉ OCTAVIO
REYES LAGUNES, SUSAN SALTZBART
KILSBY, ROBERT A. STEELE, ACORN
HOLDINGS B.V., MAPLE HOLDINGS
ACQUISITION CORP., and JAB HOLDINGS B.V.,

Defendants.

C.A. No. 11840-CB

NICK CHAPEL, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

KEURIG GREEN MOUNTAIN, INC., BARBARA
D. CARLINI, JOHN D. HAYES, BRIAN P.
KELLEY, A.D. DAVID MACKAY, MICHAEL J.
MARDY, HINDA MILLER, DAVID E. MORAN,
JOSÉ OCTAVIO REYES LAGUNES, SUSAN
SALTZBART KILSBY, ROBERT A. STEELE,
NORMAN H. WESLEY, JAB HOLDINGS, B.V.,
ACORN HOLDINGS, B.V., MAPLE HOLDINGS
ACQUISITION CORP.,

Defendants.

C.A. No. 11911-CB

**[PROPOSED] ORDER FOR CONSOLIDATION AND APPOINTMENT OF
CO-LEAD COUNSEL AND DELAWARE COUNSEL**

It appearing that the above-captioned actions involve the same subject matter, and that the administration of justice would be best served by consolidating the actions (the “Related Actions”):

IT IS HEREBY ORDERED this ____ day of _____ 2016:

1. The above-captioned actions shall be consolidated for all purposes (the “Consolidated Action”).

2. Hereafter, papers need only be filed in C.A. No. 11815-CB.

3. The caption of the Consolidated Action shall be as follows:

IN RE KEURIG GREEN MOUNTAIN,)	CONSOLIDATED
INC. STOCKHOLDERS LITIGATION)	C.A. No. 11815-CB

4. The law firms of LEVI & KORSINSKY LLP, 1101 30th Street, N.W., Suite 115, Washington, DC 20007, and RIGRODSKY & LONG, P.A., 2 Righter Parkway, Suite 120, Wilmington, Delaware 19803, are hereby designated Co-Lead Counsel for Plaintiffs in the Consolidated Action.

5. The law firm of RIGRODSKY & LONG , P.A., 2 Righter Parkway, Suite 120, Wilmington, Delaware 19803, is hereby designated Delaware Counsel for Plaintiffs in the Consolidated Action.

6. All documents previously filed to date in any of the cases consolidated herein are deemed part of the record in the Consolidated Action. The

Verified Class Action Complaint for Breach of Fiduciary Duty filed by Nick Chapel in *Chapel v. Keurig Green Mountain, Inc., et. al.*, Case No. 11911-CB on January 19, 2016 is hereby designated the operative complaint for the Consolidated Action.

7. Plaintiffs' Co-Lead Counsel, in consultation with Delaware Counsel, shall set policy for plaintiffs for the prosecution of this litigation, delegate and monitor the work performed by plaintiffs' attorneys to ensure that there is no duplication of effort or unnecessary expense, coordinate on behalf of plaintiffs the initiation and conduct of discovery proceedings, and provide direction, supervision, and coordination of all the activities of plaintiffs' counsel. Defendants may rely upon, and all Plaintiffs shall be bound by, any agreements entered into with any of Plaintiffs' Co-Lead Counsel or Delaware Counsel.

8. Plaintiffs' Co-Lead Counsel, in consultation with Delaware Counsel, shall assume the following powers and responsibilities:

- (a) coordinate and direct the preparation of pleadings;
- (b) coordinate and direct the briefing and argument of motions;
- (c) coordinate and direct the conduct of discovery and other pretrial proceedings;
- (d) coordinate and direct class certification proceedings;

- (e) coordinate the selection of counsel to act as the plaintiffs' spokesperson at pretrial conferences;
- (f) call meetings of plaintiffs' counsel as they deem necessary and appropriate from time to time;
- (g) conduct any and all settlement negotiations with counsel for the defendants;
- (h) coordinate and direct the preparation for trial of this matter, and delegate work responsibilities to selected counsel as may be required; and
- (i) coordinate and direct any other matters concerning the prosecution or resolution of the consolidated action.

9. Delaware Counsel shall be responsible for coordinating all activities and appearances on behalf of plaintiffs and for the dissemination of notices and orders of this Court, as well as for communications to and from this Court. No motion, request for discovery or other pre-trial or trial proceedings shall be initiated or filed by any Plaintiff except through Delaware Counsel. Delaware Counsel shall further be responsible for creating and maintaining a master service list of all parties and their respective counsel. Delaware Counsel shall be authorized to make representations and commitments on behalf of plaintiffs in connection with the conduct of this Consolidated Action.

10. This Order shall apply to the Consolidated Action and any future-filed actions relating to the subject matter of this case. When a case which properly belongs as part of the consolidated action is hereafter filed in this Court, this Court requests the assistance of counsel in calling to the attention of this Court the filing of any case which might properly be consolidated as part of the Consolidated Action, and counsel are to assist in assuring that counsel in subsequent actions receive notice of this Order.

Chancellor Bouchard

This document constitutes a ruling of the court and should be treated as such.

Court: DE Court of Chancery Civil Action

Judge: Multi-Case

File & Serve

Transaction ID: 58494922

Current Date: Jan 29, 2016

Case Number: Multi-Case

Case Name: Multi-Case

Court Authorizer: Bouchard, Andre G

/s/ Judge Bouchard, Andre G