

3. The Parties each consent to the appointment of Perry as Special Master under Rule 53 to further ongoing mediation activities and, if a settlement can be reached, to administer any settlement consistent with the terms of any such settlement, including, as may be appropriate, the determination of and distribution of any monetary or other award that the settlement may allow to any covered person.
4. The Parties and Perry have agreed on the terms and means to compensate the Special Master and the Parties agree to compensate Perry consistent with such agreed terms.
5. Perry agrees to serve as Special Master under the terms agreed to by the Parties, and Perry offers his affidavit under 28 U.S.C. §455, attached hereto as Attachment A, disclosing that there are no ground for disqualification, to which the Parties concur.

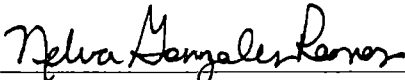
WHEREFORE, IT IS HEREBY ORDERED that the Court has considered the Parties' Joint Motion and the fairness of appointing John W. Perry, Jr. as Special Master and has determined that the appointment of John W. Perry, Jr. as Special Master is in the best interest of the Parties and will protect against unreasonable expense or delay, and the Parties' motion be and hereby is GRANTED. Accordingly, **JOHN W. PERRY JR**, of Perry, Balhoff, Mengis & Burns, L.L.C. is hereby appointed as Special Master ("Special Master").

IT IS FURTHER ORDERED THAT the appointment of JOHN W. PERRY JR as Special Master will assist the court and the Parties in the furtherance of ongoing mediation activities towards a possible settlement, as well as the administration of any potential settlement, in the above captioned case and related matters. The Special Master is appointed pursuant to FED. RULE OF CIV. PROC. 53, and consistent thereof, shall have the authority provided therein including to make recommendations to the Court relative to mediation activities and potential settlement(s), as well as to administer any such settlement(s) that may be reached consistent with the terms of any such

settlement(s) and any orders of this court. The Special Master shall proceed with all reasonable diligence to fulfil his appointed duties. The Special Master shall have authority to engage in ex parte contacts with the Court and any of the Parties (through their counsel). The Special Master shall maintain and preserve a file and communications related to the mediation activities and the administration of potential settlement(s). The Special Master shall attend status conferences with the Parties and the Court, and provide orders, findings and/or recommendations at the Court's request. The Special Master shall be compensated consistent with the terms of his agreement with the parties, which the parties have agreed to abide by. In the event of any dispute relating to payment of compensation, this Court reserves the authority to determine that the Special Master's compensation shall be treated as costs of court as ordered by the Court.

IT IS FURTHER ORDERED THAT this Order may be amended as appropriate should the Parties reach a settlement in this or related matters.

ORDERED this the 9th day of February, 2021.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE

The Joint Motion and Proposed Order is Respectfully Submitted Jointly by the Parties:

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CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2021, a copy of the above and foregoing has been filed electronically with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record who have registered to receive electronic service, and that all other counsel of record have been served by e-mail, by facsimile, and/or by depositing same in the United States Mail.

/s/ Michael A. Chernekoff

Michael A. Chernekoff