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

DANNY BEDNAR, an individual; WILLIAM)
SEKLY, an individual; each on his own behalf)
and on behalf of all other similarly situated)
persons,)

Plaintiffs.)

v.)

ALLSTATE INSURANCE COMPANY, an)
Illinois Corporation; ALLSTATE PROPERTY)
AND CASUALTY INSURANCE COMPANY,)
an Illinois Corporation; ALLSTATE)
INDEMNITY COMPANY, an Illinois)
Corporation; GREG BLEIFFER, an individual;)
and DOES 1 through 200, inclusive,)

Defendants.)

_____)
)

CASE NUMBER: BC 240 813
[CLASS ACTION]
ORDER ON EX PARTE
APPLICATION
DATE: April 24, 2001
TIME: 1:30 P.M.
DEPT: "309" Central Civil West
Honorable Anthony J. Mohr
Complaint Filed: 11/27/00

The *ex parte* application of plaintiffs came on regularly for hearing on April 24, 2001 in

1 Department 309 of the above entitled court. Plaintiffs were represented by attorneys Louis Marlin,
2 Stanley Saltzman, R. Rex Parris, James Kostas and Mark Bradley. Defendants were represented by
3 attorney Andrew Paley. The court, having read and considered the *ex parte* application and all papers
4 filed in support thereof, and having considered the communication by Allstate Insurance Company
5 (Allstate) with the putative class members, makes the following ORDER:

6 1. Plaintiffs' counsel are authorized to communicate with the putative class members by
7 letter. Said communication may be by both regular mail and e-mail delivery. A true and correct of
8 the letter is attached hereto as Exhibit "A".

9 2. No later than 5:00 p.m. on April 30, 2001, Allstate shall deliver to plaintiffs' counsel
10 a list containing the names and business addresses and business e-mail addresses of all current claims
11 adjusters employed in the State of California who are classified by Allstate as exempt employees in
12 connection with the payment of overtime compensation. These lists shall also be provided in a
13 mutually agreeable computerized form if available from defendants.

14 3. Neither party shall engage in any further "mass" communications (i.e., group meetings,
15 mass mailings, discussion groups) with putative class members concerning the facts and issues
16 involved in this litigation without prior approval by the court. Either party may meet with adjusters
17 for the purpose of obtaining information and/or preparing their case. It is understood that such
18 meetings may involve more than one adjuster at a time.

19 4. The plaintiffs and their counsel are authorized to establish a web site as noted in their
20 proposed communication to the putative class members, at www.overtimelawsuit.com. The
21 following items may be posted at that site in the discretion of plaintiffs' counsel:

- 22 1. A copy of this Order
- 23 2. A copy of plaintiffs' communication to putative class members.
- 24 3. A copy of any pleading in this matter which is part of the public record.
- 25 4. A copy of *Bell vs. Farmers Insurance Exchange* (2001) 87 C.A.4th 805.
- 26 5. A copy of the October 5, 1998 correspondence from the Department of
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Industrial Relations, Division of Labor Standards Enforcement to attorney
Marcie E. Berman.

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6. The names, addresses, telephone numbers and e-mail addresses of plaintiffs'
counsel.

7. A link to plaintiffs' counsels' web sites and/or e-mail addresses.

Approved as to form
Latham & Watkins

By _____
Andrew Paley
Attorney for Defendants

Dated: _____
Judge of the Superior Court