

STATE OF NEW YORK
SUPREME COURT COUNTY OF ONONDAGA

Index No. 11-6084
Index No. 11-2128
Index No. 11-6223

IN RE: SMALL SMILES LITIGATION

ORDER

This Court, having conferenced several discovery issues with the attorneys representing the parties in this matter, and having discussed with the attorneys, at that time, the need for a Referee to resolve the multiple discovery issues presented in this case, and the parties, through their attorneys, having agreed to pay their pro rata share of the Referee, it is hereby

ORDERED, that John Brandt of 235 Gilbert Mills Road, Phoenix, New York 13135, (315) 569-9725, is hereby named Court Referee for purposes of dealing with discovery issues and other pretrial issues in the above-named matter, and it is further

ORDERED, that said Referee shall have the authority to meet with the attorneys and/or parties, review all discovery requests and other pleadings, present recommendations for handling discovery to the attorneys, and to the extent that orders are required, report to this Court with regard to the Referee's opinions concerning the discovery issues presented so that this Court can review and give an appropriate order under all circumstances, and it is further

ORDERED, that the parties shall bear the cost of said Referee on a pro rata share, and it is further

ORDERED, that the Referee shall be paid at the hourly rate of \$350.00 per hour

DATED: December 23, 2011.



Hon. John C. Cherundolo, A.J.S.C.