



GRANTED

EFiled: Mar 27 2023 01:47PM EDT
Transaction ID 69654310
Case No. Multi-Case



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

OPERATING ENGINEERS
CONSTRUCTION INDUSTRY AND
MISCELLANEOUS PENSION FUND

Plaintiff,

v.

VISA INC.,

Defendant.

C.A. No. 2023-0059-JTL

STEVEN SKLAR

Plaintiff,

v.

VISA INC.,

Defendant.

C.A. No. 2023-0135-JTL

HOLLYWOOD POLICE OFFICERS’
RETIREMENT SYSTEM,

Plaintiff

v.

VISA INC.

Defendant.

C.A. No. 2023-0307-JTL

**STIPULATION AND [PROPOSED] ORDER
GOVERNING CONSOLIDATION**

WHEREAS, each of the above-captioned actions (the “Actions”) is a summary proceeding against Visa Inc. (“Visa”) under 8 *Del. C.* § 220;

WHEREAS, plaintiffs Operating Engineers Construction Industry and Miscellaneous Pension Fund, Steven Sklar, and Hollywood Police Officers' Retirement System in the Actions ("Plaintiffs") have requested books and records of Visa concerning similar subject matter;

WHEREAS, Court of Chancery Rule 42(a) permits consolidation of actions where "actions involving a common question of law or fact are pending before the Court," and the Court may "make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay";

WHEREAS, the Actions have the potential to involve numerous common questions of fact and law, and all parties to the Actions wish to avoid unnecessary costs or delay; and

WHEREAS, counsel for Plaintiffs in the Actions have agreed that prosecution of and communications with the Court and defendant regarding the Actions will be coordinated through the law firms Grant & Eisenhofer P.A. ("Grant & Eisenhofer"), Wolf Popper LLP ("Wolf Popper"), and Saxena White P.A. ("Saxena");

IT IS HEREBY STIPULATED AND AGREED, by the parties hereto, through their undersigned counsel, subject to the approval of the Court, as follows:

1. The Actions shall be, and hereby are, consolidated for all purposes, including trial and pre-trial discovery, and are collectively referred to herein as the "Consolidated Action." Plaintiffs in the Consolidated Action shall work together on

all matters where it is practicable to do so, and will attempt to conduct the litigation in a manner designed to avoid duplication, and to promote the efficient and speedy resolution of the Consolidated Action. To the extent not already done, Visa shall make the same books and records available to all three Plaintiffs, subject to each individual Plaintiff's confidentiality stipulation.

2. Plaintiffs shall file a Consolidated Complaint within fourteen (14) days of the entry of this Order. The parties agree that Visa need only respond to the consolidated complaint or the designated operative complaint. Visa shall file an Answer to the Consolidated Complaint within twenty (20) days thereafter.

3. All pleadings, discovery, and other documents filed, served, produced, or otherwise provided by any party to any other party in the Consolidated Action shall be served on all Delaware counsel of record in the Consolidated Action, and all discovery produced or provided to any party in the Consolidated Action pursuant to a subpoena shall be served on all Delaware counsel of record in the Consolidated Action.

4. Any pleading, discovery, or other document filed or served in the Consolidated Action shall bear the caption substantially as follows:

IN RE VISA INC. SECTION 220 LITIGATION

Consolidated
C.A. No. 2023-0135-JTL

5. When an action involving questions of law or fact similar to those contained in the Consolidated Action (“Related Action”) is filed, the Court requests the assistance of counsel in calling to the attention of the Court the filing, and counsel are to assist in ensuring that counsel in any subsequently filed Related Action(s) receive notice of this Order. Plaintiffs and Visa shall also endeavor, where practical, to consolidate all Related Actions into this Action in the interest of judicial efficiency.

6. The parties may file any amended operative complaint or answer as “Confidential Filings” in accordance with Court of Chancery Rule 5.1.

Dated: March 27, 2023

GRANT & EISENHOFER, P.A.

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Attorneys for Defendant Visa Inc.

SO ORDERED this _____ day of _____, 2023

Vice Chancellor J. Travis Laster

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:** 69652682

Current Date: Mar 27, 2023

Case Number: Multi-Case

Case Name: Multi-Case

Court Authorizer: J Travis Laster

Court Authorizer

Comments:

I appreciate counsel taking care of the issue of consolidation. Thank you also for the practical consolidated caption.

/s/ Judge J Travis Laster

Multi-Case Filing Detail: The document above has been filed and/or served into multiple cases, see the details below including the case number and name.

Transaction Details

Court: DE Court of Chancery Civil Action **Document Type:** Order

Transaction ID: 69654310 **Document Title:** Granted (Stipulation and [Proposed] Order Governing Consolidation)

Submitted Date & Time: Mar 27 2023 1:47PM

Case Details

Case Number	Case Name
2023-0059-JTL	Operating Engineers Construction Industry, et. al. v. Visa Inc.
2023-0135-JTL	Steven Sklar v. Visa Inc.
2023-0307-JTL	Hollywood Police Officers' Retirement System v. Visa Inc.