

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
ENTERED

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UNITED STATES COURTS  
SOUTHERN DISTRICT OF TEXAS  
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**Michael N. Milby, Clerk** UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

**Michael N. Milby, Clerk of Court**

PASQUALE DI GIACOMO, et al., On Behalf	) Cause No. H-99-4137
of Themselves and All Others Similarly Situated,	) (Consolidated)
	)
Plaintiffs,	) <u>CLASS ACTION</u>
	)
vs	) <del>PROPOSED</del> ORDER APPOINTING
	) THE PLAINS ALL AMERICAN
PLAINS ALL AMERICAN PIPELINE LP, et	) PLAINTIFFS GROUP AS LEAD
al.,	) PLAINTIFF PURSUANT TO
	) §21D(a)(3)(B) OF THE SECURITIES
Defendants.	) EXCHANGE ACT OF 1934 AND
_____	) APPROVING LEAD PLAINTIFF'S
	) CHOICE OF COUNSEL

Having considered movants' Motion to Appoint the Plains All American Plaintiffs Group as Lead Plaintiff pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934 and to approve the Plains All American Plaintiffs Group's Choice of Counsel (the "Motion"), and good cause appearing therefor, the Court ORDERS as follows:


1. The Motion is GRANTED;
2. Pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B), Michael S. Cohen, David Crossen, Howard D. Walker and Lyndal H. Walker, Trustees, Lawrence S. Miller, Marion A. Miller and John W. Kelly III (the "Plains All American Plaintiffs Group") is appointed as Lead Plaintiff in this action;
3. Pursuant to §21D(a)(3)(B), the law firms of Milberg Weiss Bershad Hynes & Lerach LLP ("Milberg Weiss"), Berger & Montague, P.C., Kaplan, Kilsheimer & Fox LLP and Bernstein Liebhard & Lifshitz, LLP are appointed as members of plaintiffs' Executive Committee for the class; Milberg Weiss and Berger & Montague, P.C. are appointed Co-Chairmen of the Executive Committee, and Greenberg, Peden, Siegmeyer and Oshman, P.C. is appointed as liaison counsel; and
4. Lead Plaintiffs and their Co-Lead Counsel may designate one or more Lead Plaintiffs to give testimony on behalf of the class in subsequent proceedings to streamline the proceedings and avoid unnecessary and costly discovery or expense to the class.

\* \* \*

**ORDER**

IT IS SO ORDERED.

DATED: April 27, 2000

  
\_\_\_\_\_  
THE HONORABLE LEE H. ROSENTHAL  
UNITED STATES DISTRICT JUDGE

DECLARATION OF SERVICE BY MAIL

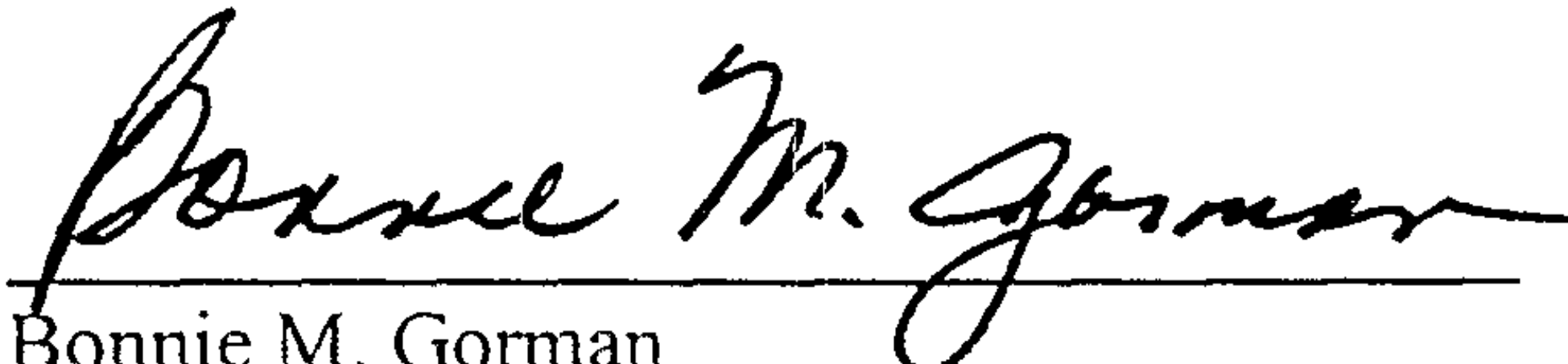
I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 600 West Broadway, Suite 1800, San Diego, California 92101.

2. That on January 27, 2000, declarant served the [PROPOSED] ORDER APPOINTING THE PLAINS ALL AMERICAN PLAINTIFFS GROUP AS LEAD PLAINTIFF PURSUANT TO §21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND APPROVING LEAD PLAINTIFF'S CHOICE OF COUNSEL by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of January, 2000, at San Diego, California.

  
Bonnie M. Gorman

PLAINS

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COUNSEL FOR PLAINTIFF(S)

\* Thomas W. Paterson  
SUSMAN GODFREY L.L.P.  
1000 Louisiana Street  
Suite 5100  
Houston, TX 77002-5096  
713/651-9366  
713/653-7897 (fax)

\* Karen L. Morris  
Patrick F. Morris  
MORRIS AND MORRIS  
1105 North Market Street  
Suite 1600  
Wilmington, DE 19801  
302/426-0400  
302/426-0406 (fax)

Kenneth A. Elan  
LAW OFFICES OF KENNETH A. ELAN  
217 Broadway, Suite 404  
New York, NY 10007  
212/619-0261  
212/385-2707 (fax)

\* Charles J. Piven  
LAW OFFICES OF CHARLES J.  
PIVEN, P.A.  
The World Trade Center  
401 East Pratt Street, Suite 2525  
Baltimore, MD 21202  
410/332-0030  
410/685-1300 (fax)

\* Richard J. Vita  
LAW OFFICES OF RICHARD J. VITA  
77 Franklin Street, 3rd Floor  
Boston, MA 02110  
617/426-6566  
617/451-2525 (fax)

Stuart H. Savett  
Barbara A. Podell  
SAVETT, FRUTKIN, PODELL &  
RYAN, P.C.  
325 Chestnut Street, Suite 700  
Philadelphia, PA 19106  
215/923-5400  
215/923-9353 (fax)

Andrew L. Barroway  
Marc A. Topaz  
Gregory M. Castaldo  
SCHIFFRIN & BARROWAY, LLP  
Three Bala Plaza East, Suite 400  
Bala Cynwyd, PA 19004  
610/667-7706  
610/667-7056 (fax)

Alfred G. Yates, Jr.  
LAW OFFICES OF ALFRED G.  
YATES, JR.  
519 Allegheny Building  
429 Forbes Avenue  
Pittsburgh, PA 15219  
412/391-5164  
412/471-1033 (fax)

Stephen C. Levy  
LEVY & LEVY  
245 Park Avenue, 39th Floor  
New York, NY 10167  
212/792-4343  
212/792-4001 (fax)

Sandy Liebhard  
Mel E. Lifshitz  
BERNSTEIN LIEBHARD & LIFSHITZ,  
LLP  
10 East 40th Street  
New York, NY 10016  
212/779-1414  
212/779-3218 (fax)

PLAINS

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COUNSEL FOR PLAINTIFF(S)

Steven E. Cauley  
LAW OFFICES OF STEVEN E.  
CAULEY, P.A.  
Suite 218, Cypress Plaza  
2200 N. Rodney Parham Road  
Little Rock, AR 72212  
501/312-8500  
501/312-8505 (fax)

Wm. B. Emmons  
EMMONS & JACKSON  
3223 Smith Street, Suite 303  
Houston, TX 77006  
713/522-4435  
713/527-8850 (fax)

John G. Emerson, Jr.  
WHITTINGTON, VON STERNBERG,  
EMERSON & WILSHER, L.L.P.  
2600 South Gessner, Suite 600  
Houston, TX 77063-3291  
713/789-8850  
713/789-0033 (fax)

Roger B. Greenberg  
David E. Sharp  
GREENBERG PEDEN SIEGMYER &  
OSHMANN, P.C.  
12 Greenway Plaza, 10th Floor  
Houston, TX 77046  
713/627-2720  
713/627-7057 (fax)

Bruce G. Murphy  
LAW OFFICES OF BRUCE G. MURPHY  
265 Llwyds Lane  
Vero Beach, FL 32963  
561/231-4202  
801/650-8213 (fax)

William B. Federman  
DAY, EDWARDS, FEDERMAN,  
PROPESTER & CHRISTENSEN, P.C.  
210 Park Avenue, Suite 2900  
Oklahoma City, OK 73102-5605  
405/239-2121  
405/236-1012 (fax)

\* Steven J. Toll  
Matthew J. Ide  
COHEN, MILSTEIN, HAUSFELD &  
TOLL, P.L.L.C.  
999 Third Avenue, Suite 3600  
Seattle, WA 98104  
206/521-0080  
206/521-0166 (fax)

Richard D. Kranich  
LAW OFFICES OF RICHARD D.  
KRANICH  
120 Broadway, Suite 1016  
New York, NY 10271-0074  
212/608-8965  
212/962-3123 (fax)

David R. Scott  
Neil Rothstein  
SCOTT & SCOTT, LLC  
108 Norwich Avenue, P.O. Box 192  
Colchester, CT 06415  
860/537-3818  
860/537-4432 (fax)

Marc R. Stanley  
STANLEY, MANDEL & IOLA, L.L.P.  
3100 Monticello Avenue  
Suite 750  
Dallas, TX 75205  
214/443-4301  
214/443-0358 (fax)

PLAINS

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COUNSEL FOR PLAINTIFF(S)

Thomas E. Bilek  
Kelly Cox Thornton  
HOEFFNER, BILEK & EIDMAN,  
L.L.P.  
440 Louisiana, Suite 720  
Houston, TX 77002  
713/227-7720  
713/227-9404 (fax)

\* Paul E. Ridley  
Michael D. Napoli  
WOLIN, RIDLEY & MILLER LLP  
1717 Main Street, Suite 3100  
Dallas, TX 75201-4681  
214/939-4900  
214/939-4949 (fax)

Paul J. Geller  
SHEPHERD & GELLER, LLC  
7200 W. Camino Real, Suite 203  
Boca Raton, FL 33433  
561/750-3000  
561/750-3364 (fax)

\* Tracy Murray  
LAW OFFICES OF TRACY MURRAY  
47 Cambridge Avenue  
Garden City, NY 11530

\* Harry Rothenberg  
LAW OFFICES OF ALLEN ROTHENBERG  
450 Seventh Avenue  
New York, NY 10123  
212/563-0100  
212/629-6813 (fax)

William S. Lerach  
Helen J. Hodges  
Amber L. Eck  
MILBERG WEISS BERSHAD HYNES &  
LERACH LLP  
600 West Broadway, Suite 1800  
San Diego, CA 92101-5050  
619/231-1058  
619/231-7423 (fax)

\* Larry R. Veselka  
SMYSER KAPLAN & VESELKA, L.L.P.  
700 Louisiana  
Suite 2300 NationsBank Center  
Houston, TX 77002  
713/221-2330  
713/221-2320 (fax)

Thomas M. Melsheimer  
LYNN STODGHILL MELSHEIMER &  
TILLOTSON, L.L.P.  
750 N. St. Paul Street  
Suite 1400  
Dallas, TX 75201  
214/981-3800  
214/981-3839 (fax)

\* Francis J. Farina  
LAW OFFICES OF FRANCIS J.  
FARINA  
577 Gregory Lane  
Devon, PA 19333  
610/695-9023  
610/695-9007 (fax)

\* Joshua M. Lifshitz  
BULL & LIFSHITZ LLP  
216 West 38th Street  
New York, NY 10018  
212/869-9449  
212/869-5632 (fax)

\* Carlton D. Wilde, Jr.  
FRANKLIN, CARDWELL & JONES  
14th Floor, Chase Tower  
600 Travis  
Houston, TX 77002  
713/222-6025  
713/222-0938 (fax)

Leonard Barrack  
Daniel E. Bacine  
Samuel R. Simon  
BARRACK, RODOS & BACINE  
3300 Two Commerce Square  
2001 Market Street  
Philadelphia, PA 19103  
215/963-0600  
215/963-0838 (fax)

PLAINS

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COUNSEL FOR PLAINTIFF(S)

- \* Jules Brody  
Aaron L. Brody  
STULL, STULL & BRODY  
6 East 45th Street, 4th Floor  
New York, NY 10017  
212/687-7230  
212/490-2022 (fax)
- Max L. Berger  
BERNSTEIN LITOWITZ BERGER &  
GROSSMANN LLP  
1285 Avenue of the Americas  
33rd Floor  
New York, NY 10019  
212/554-1400  
212/554-1444 (fax)
- Arnold Levin  
LEVIN, FISHBEIN, SEDRAN &  
BERMAN  
510 Walnut Street, Suite 500  
Philadelphia, PA 19106-3875  
215/592-1500  
215/592-4663 (fax)
- \* Fred Taylor Isquith  
Shane T. Rowley  
WOLF HALDENSTEIN ADLER FREEMAN  
& HERZ, LLP  
270 Madison Avenue  
New York, NY 10016  
212/545-4600  
212/545-4653 (fax)
- \* Paul O. Paradis  
WOLF POPPER LLP  
845 Third Avenue  
New York, NY 10022  
212/759-4600  
212/486-2093 (fax)
- Brian Barry  
LAW OFFICES OF BRIAN BARRY  
8424-A Santa Monica Blvd.  
Suite 184  
Los Angeles, CA 90069  
213/954-7210  
213/954-7235 (fax)
- Jeffrey C. Block  
Patrick Egan  
BERMAN, DEVALERIO & PEASE LLP  
One Liberty Square  
Boston, MA 02109  
617/542-8300  
617/542-1194 (fax)
- Robert N. Kaplan  
Frederic S. Fox  
KAPLAN, KILSHEIMER & FOX LLP  
805 Third Avenue, 22nd Floor  
New York, NY 10022  
212/687-1980  
212/687-7714 (fax)
- \* Stuart D. Wechsler  
Samuel K. Rosen  
WECHSLER HARWOOD HALEBIAN &  
FEFFER LLP  
488 Madison Avenue, 8th Floor  
New York, NY 10022  
212/935-7400  
212/753-3630 (fax)
- Sherrie R. Savett  
Karen S. Orman  
BERGER & MONTAGUE, P.C.  
1622 Locust Street  
Philadelphia, PA 19103  
215/875-3000  
215/875-3053 (fax)
- Joseph H. Weiss  
WEISS & YOURMAN  
551 Fifth Avenue, Suite 1600  
New York, NY 10176  
212/682-3025  
212/682-3010 (fax)
- Marvin L. Frank  
RABIN & PECKEL, LLP  
275 Madison Avenue  
New York, NY 10016  
212/682-1818  
212/682-1892 (fax)

PLAINS

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Page 5

COUNSEL FOR PLAINTIFF(S)

Lionel Z. Glancy  
LAW OFFICES OF LIONEL Z. GLANCY  
1801 Avenue of the Stars  
Suite 311  
Los Angeles, CA 90067  
310/201-9150  
310/201-9160 (fax)

Howard D. Finkelstein  
Jeffrey R. Krinsk  
FINKELSTEIN & KRINSK  
501 West Broadway, Suite 1250  
San Diego, CA 92101  
619/238-1333  
619/238-5425 (fax)

\* Terrell W. Oxford  
Martha A. Evans  
SUSMAN GODFREY L.L.P.  
2323 Bryan Street, Suite 1400  
Dallas, TX 75201-2633  
214/754-1900  
214/754-1933 (fax)

COUNSEL FOR DEFENDANTS

\* A. Ross Rommel, Jr.  
Kent W. Robinson  
Kendall M. Gray  
ANDREWS & KURTH, L.L.P.  
Texas Commerce Tower  
600 Travis, Suite 4200  
Houston, TX 77002  
713/220-4200  
713/220-4285 (fax)

\* Attorney in Charge  
FRIED, FRANK, HARRIS, SHRIVER  
& JACOBSON. P.C.  
One New York Plaza  
New York, NY 10004-1980  
212/859-8000  
212/859-4000 (fax)

\* Denotes service via Federal Express