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**RECEIVED**

DEC 13 2004

AT 8:30 <sup>M</sup>  
WILLIAM T. WALSH, CLERK

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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IN RE LORD ABBETT MUTUAL FUNDS FLE : MASTER FILE: 04-cv-559 (WJM)  
LITIGATION :  
: :  
: :  
THIS DOCUMENT RELATES TO: : CASE MANAGEMENT ORDER  
ALL ACTIONS :  
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This matter having come before the Court pursuant to a hearing conducted on November 29, 2004 on defendants' motion to reconsider the Court's order of October 18, 2004 (the "October 18 Order") denying defendants' motion for a stay of all discovery and granting plaintiff's document discovery relating to their class certification motion, and the Court having considered the submissions by all parties and the oral arguments of counsel:

IT IS on this 13<sup>th</sup> day of December, 2004,

**ORDERED** that:

1. Defendants' motion for reconsideration is granted, in part, and is denied in part as set forth in the following rulings:

**Plaintiffs' Class Discovery**

A. Defendants shall produce to Plaintiffs all service agreements that relate to any of the Lord Abbett Funds referenced in the Amended Complaint, whether or not such service agreements are publically available;

B. Defendants shall produce to plaintiffs all documents provided to the Lord Abbett Funds boards of directors, regarding the allocation of any and all expenses among any of the various Lord Abbett Funds referenced in the Amended Complaint for each of the years covered in the Class Period defined in the Amended Complaint, including any documents relating to the bases for, and finalizations of, such allocations, and any board minutes approving such allocations;

C. Defendants shall inform plaintiffs whether there has been any internal investigation(s) and whether defendants have responded to any governmental investigation(s) relating to activity by defendants of the type alleged in the Amended Complaint. Defendants shall also inform plaintiffs of each of the following:

- (i) The date of any governmental request for information;
- (ii) The type of information requested;
- (iii) How defendants responded to such requests, *i.e.* by producing documents, by letter, etc.; and
- (iv) Any claims of privilege which defendants intend to assert with respect to any documents relating to any investigations referenced above.

In providing information called for in paragraph C (iv), defendants are advised that the Court rejects any assertion of the self-evaluative privilege. Following disclosure of the information required by paragraph C(i) -(iv) above, the parties will confer regarding production of documents and information, if any exists. In the event that the parties are unable to reach

agreement, they may bring any disagreements to the Court's attention.

D. The remainder of Plaintiffs' document requests that were the subject of the October 18 Order and defendants' motion for reconsideration are denied without prejudice.

F. Defendants shall provide all of the foregoing documents and information to plaintiffs no later than December 13, 2004.


**Defendants' Class Discovery**

I. The defendants shall have the right to serve up to 50 single-part interrogatories, as well as document requests, on each class representative related to issues raised by the Plaintiffs' Motion for Class Certification. These interrogatories and document requests shall be served no later than December 13, 2004. Plaintiffs' responses to these interrogatories and requests are due on January 14, 2005. Defendants' request to depose any class representative is denied without prejudice to being renewed after receipt of the responses to the interrogatories and document requests.

**Scheduling of Class Certification Motion**

G. Defendants' opposition to plaintiffs' motion for class certification shall be served no later than February 11, 2005. Plaintiffs' reply shall be served no later than February 25, 2005.

II. There are no further conferences scheduled with the Magistrate until the pending dispositive motions are decided. If the parties have any further discovery disputes, they may raise them by letter or by conference call with the Magistrate.

  
RONALD J. HEDGES  
United States Magistrate Judge