

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE THE MILLS CORPORATION)
SECURITIES LITIGATION)

THIS DOCUMENT RELATES TO:)

1:06-cv-0077)

1:06-cv-0247)

1:06-cv-0265)

1:06-cv-0304)

1:06-cv-1446)

1:07-cv-0296)

Civil Action No. 1:06-cv-077

ORDER

Before the Court is Lead Plaintiffs Iowa Public Employees' Retirement System and Public Employees' Retirement System of Mississippi (collectively, "Lead Plaintiffs")'s Motion for Class Certification (Dkt. No. 302). On February 26, 2009, the Court held a hearing on this motion. Upon consideration of the motion, and finding that Lead Plaintiffs have demonstrated the existence of the prerequisites for class certification articulated in Fed. R. Civ. P. 23(a) and 23(b)(3), it is hereby

ORDERED that Plaintiffs' Motion for Class Certification (Dkt. No. 302) is GRANTED.

The Court hereby certifies the following subclasses:

- (1) As against Defendant Ernst & Young, all persons who purchased or otherwise acquired Mills common and preferred stock, during the period from March 28, 2002 through August 10, 2006, and who were damaged thereby;
- (2) As against the KanAm Defendants, all persons who purchased or otherwise

acquired Mills common and preferred stock, during the period from February 27, 2001 through August 10, 2006, and who were damaged thereby.

It is further,

ORDERED that Iowa Public Employees' Retirement System and Public Employees' Retirement System of Mississippi are certified as Lead Plaintiffs in this action, and Plaintiffs C. Bickley Foster, Frederic Elliott, and Vernon E. Rudolph are hereby certified as representative plaintiffs for the Class.

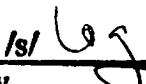
It is further,

ORDERED that, pursuant to Fed. R. Civ. P. 23(g) and for good cause appearing, Barrack, Rodos & Bacine, and Bernstein Litowitz Berger & Grossmann LLP are hereby appointed as Class Counsel.

The Court will issue forthwith a memorandum opinion setting forth its reasons for this Order in full detail.

ENTERED on this 31st day of March, 2009.

Alexandria, Virginia



Liam O'Grady
United States District Judge