

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

In re: Capital One Financial )  
Corporation, Affiliate Marketing ) Civil Action No. 1:25-cv-023 (AJT/WBP)  
Litigation, )  
\_\_\_\_\_ )

**PRETRIAL ORDER #2**  
Appointing Interim Co-Lead Counsel

Pursuant to this Court’s January 27, 2025 Order [Doc. No. 20], the Court has received twelve motions to serve as Plaintiffs’ Lead Counsel, [Docs. No. 53–58, 63-64, 66-67, 70, 72], two motions to serve as Plaintiffs’ Liaison Counsel, [Docs. No. 65, 71], and four motions to establish a Plaintiffs’ Steering Committee, and serve as a member on that committee, [Doc. Nos. 56, 62, 66, 72] (collectively, the “Motions”). Following the Court’s February 19, 2025 Order, [Doc. No. 94], advising that applicants for these roles may submit “information regarding fee arrangements or billing rates that they would like the Court to consider,” certain applicants submitted supplemental information for the Court’s review. Upon consideration of the Motions and the supplemental filings, it is hereby

**ORDERED** that the following be, and the same hereby are, appointed to and shall serve as Plaintiffs’ Interim Co-Lead Counsel:

1. Douglas McNamara  
Cohen, Milstein, Sellers & Toll PLLC  
1100 New York Ave. NW, Ste. 800  
Washington, DC 20005
  
2. James Pizzirusso  
Hausfeld LLP  
88 16th Street, N.W., Suite 300  
Washington, D.C. 20006

3. E. Michelle Drake  
Berger Montague PC  
1229 Tyler Street NE, Suite 205  
Minneapolis, MN 55413
4. Norman E. Siegel  
Stueve Siegel Hanson LLP  
460 Nichols Road, Suite 200  
Kansas City, MO 64112

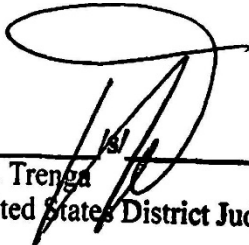
and it is further

**ORDERED** that McNamara, Pizzirusso, Drake, and Siegel, acting as Plaintiffs' Interim Co-Lead Counsel, shall proceed to discharge the duties and obligations of Plaintiffs' Lead Counsel, as set forth in the Court's Initial Pretrial Order, [Doc. No. 94] ¶ 2(b). The Court will defer appointing any further leadership roles, pending its further assessment concerning the need for such roles; and it is further

**ORDERED** that the initial status conference will take place on April 1, 2025, at 10:00 a.m., in courtroom 900, in accordance with the Court's Initial Pretrial Order, [Doc. No. 94] ¶ 5(a).

The Clerk is directed to forward a copy of this Order to all counsel of record.

Alexandria, Virginia  
March 5, 2025



Anthony J. Trenga  
Senior United States District Judge