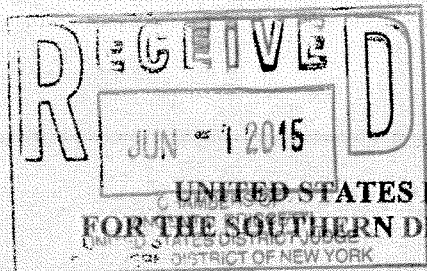


Briccetti, J. KY



YANG CHEN and LAWRENCE SASSO,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

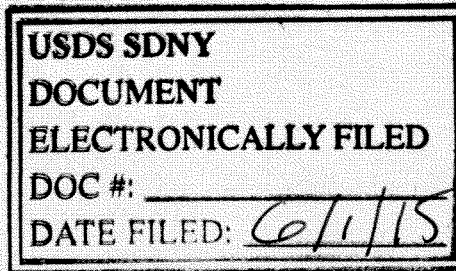
v.

HIKO ENERGY, LLC

Defendant.

Civil Action No. 14-cv-01771-VB

Civil Action No. 14-cv-02042-VB



AUDREY BOGDANSKI, on behalf of
Herself and all others similarly situated,

Plaintiff,

v.

HIKO ENERGY, LLC

Defendant.

Civil Action No. 15-cv-02024-VB

STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONSOLIDATE
RELATED ACTIONS

ECF CASE

Plaintiffs Yang Chen, Lawrence Sasso and Audrey Bogdanski (Collectively "Plaintiffs") and defendant HIKO Energy, LLC ("HIKO", and together with Plaintiffs the "Parties"), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on July 9, 2014, the Second Amended Complaint styled *Chen v. HIKO Energy, LLC* was filed in this District as Case No. 14-cv-01771 (VB) and assigned to Judge Vincent L. Briccetti (the "*Chen* Action");

WHEREAS, on July 9, 2014, the Second Amended Complaint styled *Sasso v. HIKO Energy, LLC* was filed in this District as Case No. 14-cv-02042 (VB) and assigned to Judge Vincent L. Briccetti (the "*Sasso* Action");

WHEREAS, on August 8, 2014, an Order was issued by the Court consolidating the *Chen* Action and the *Sasso* Action for pre-trial purposes;

WHEREAS, on March 18, 2015, the Complaint styled *Bogdanski v. HIKO Energy, LLC* was transferred to this District from the Middle District of Pennsylvania as Case No. 15-cv-02024 (CS) and assigned to Judge Cathy Seibel (the "*Bogdanski* Action", and together with the *Chen* Action and the *Sasso* Action, the "Related Actions");

WHEREAS, on March 27, 2015 the *Bogdanski* Action was assigned to Judge Vincent L. Briccetti as a matter related to the *Chen* Action and *Sasso* Action;

WHEREAS, the Parties agree and hereby stipulate that for the interests of justice and efficiency the Related Actions should be consolidated for pre-trial purposes, including discovery, pursuant to Federal Rule of Civil procedure 42(a) into Case No. 14-cv-01771 (VB) before Judge Vincent L. Briccetti given that the Related Actions purport to arise from the same or substantially identical transactions, circumstance and events, and purport to share common questions of law or fact.

WHEREAS, consolidation of the Related Actions (the "Consolidated Action") will avoid unnecessary costs and delay and obviate the need for duplicative filings and repetitive judicial proceedings.

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through their respective counsel, and subject to the approval of this Court that:

1. Hereafter, papers in the Consolidated Action need only be filed in the first-filed docket, case No. 14-cv-01771 (VB).
2. Every filing in the Consolidated Action shall bear the caption "In re HIKO Energy, LLC Litigation."

3. When a case that may belong as part of the Consolidated Action is hereafter filed in this Court or transferred here from another court, counsel for the Parties shall call to the attention of the Clerk of this Court the filing or transfer of such action and shall assist in assuring that counsel in such subsequent actions receive notice of any Order by this Court regarding consolidation.

4. Nothing herein shall be construed as grounds for delaying the Court's consideration of HIKO's Motion for Judgment on the Pleadings in the *Chen* Action and *Sasso* Action, briefing for which was completed on April 20, 2015.

5. Nothing herein shall be construed as grounds for delaying briefing on HIKO's Motion to Dismiss the Complaint in the *Bogdanski* Action, filed on February 17, 2015.

6. A copy of this Stipulation and [~~Proposed~~] Order shall be filed in all Related Actions, but all future filings shall be filed in accordance with the terms set forth herein.

Dated: Armonk, New York
May 29, 2015

BOIES, SCHILLER & FLEXNER LLP

By: 

Motty Shulman
William D. Marsillo
333 Main Street
Armonk, NY 10504
(914) 749-8200

Attorneys for HIKO Energy, LLC

Dated: White Plains, New York
_____, 2015

**FINKELSTEIN, BLANKINSHIP,
FREI-PEARSON & GARBER, LLP**

By: _____

Douglas Gregory Blankinship
Jeremiah L. Frei-Pearson
Todd S. Garber
1311 Mamaroneck Ave, Suite 220
White Plains, NY 10605
(914) 298-3281

Attorneys for Yang Chen and
Lawrence Sasso

3. When a case that may belong as part of the Consolidated Action is hereafter filed in this Court or transferred here from another court, counsel for the Parties shall call to the attention of the Clerk of this Court the filing or transfer of such action and shall assist in assuring that counsel in such subsequent actions receive notice of any Order by this Court regarding consolidation.

4. Nothing herein shall be construed as grounds for delaying the Court's consideration of HIKO's Motion for Judgment on the Pleadings in the *Chen* Action and *Sasso* Action, briefing for which was completed on April 20, 2015.

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6. A copy of this Stipulation and [~~Proposed~~] Order shall be filed in all Related Actions, but all future filings shall be filed in accordance with the terms set forth herein.

Dated: Armonk, New York
_____, 2015

BOIES, SCHILLER & FLEXNER LLP

By: _____

Motty Shulman
William D. Marsillo
333 Main Street
Armonk, NY 10504
(914) 749-8200

Attorneys for HIKO Energy, LLC

Dated: White Plains, New York
May 29, 2015

**FINKELSTEIN, BLANKINSHIP,
FREI-PEARSON & GARBER, LLP**

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Attorneys for Yang Chen and
Lawrence Sasso

Dated: New York, NY

May 29, 2015

GREENFIELD & GOODMAN LLC

By: Richard Greenfield /s/

(eDM)

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Bethesda, MD 20814
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Attorneys for Audrey Bogdanski

SO ORDERED:



Judge Vincent L. Briccetti
United States District Judge

Dated: 6/1, 2015