

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE COGNIZANT TECHNOLOGY	)	MDL No. 3185
SOLUTIONS CORPORATION AND	)	Case No. 4:26-md-3185-JAR
TRIZETTO PROVIDER SOLUTIONS, LLC,	)	ALL CASES
DATA SECURITY BREACH LITIGATION	)	
	)	

ORDER APPOINTING INTERIM LEADERSHIP COUNSEL

This matter is before the Court to designate interim leadership counsel after the Judicial Panel on Multidistrict Litigation transferred 26 cases to this Court for consolidated pre-trial proceedings. The Court scheduled an initial conference for June 26, 2026, prior to which counsel for three separate plaintiff groups submitted applications for appointment as interim lead counsel. These applicants appeared at the conference in person. Counsel for certain other plaintiffs appeared remotely via Zoom videoconference. Counsel for Defendants Cognizant and TriZetto appeared in person. Counsel for the healthcare provider Defendants appeared via Zoom.¹ Among matters discussed at the conference was the necessity to appoint interim lead and/or liaison counsel as soon as practicable. The Court afforded the three applicants for lead Plaintiffs' counsel an opportunity to highlight their qualifications and answer the Court's questions about initial discovery and case management. The Court also asked Defendants' counsel to identify their respective lead or liaison representatives.

¹ The healthcare provider Defendants at this time are St. Anthony's Physician Organization Hospitalist Services, L.C., One Community Health, Open Door Community Health Centers, and Cares Community Health.

Plaintiffs' Counsel

Interim counsel are designated to “act on behalf of a putative class before determining whether to certify the action as a class action” and are responsible for coordinating pretrial proceedings. Fed. R. Civ. P. 23(g)(3). When appointing class counsel, interim or otherwise, courts consider (1) the work counsel has done in identifying or investigating potential claims in the action, (2) counsel’s experience in handling class actions, other complex litigation, and the types of claims asserted in the action, (3) counsel’s knowledge of the applicable law, and (4) the resources that counsel will commit to representing the class. Fed. R. Civ. P. 23(g)(1)(A). The court may also consider “any other matter pertinent to counsel’s ability to fairly and adequately represent the interests of the class.” Fed. R. Civ. P. 23(g)(1)(B).

The Manual for Complex Litigation advises the court to “ensure that counsel appointed to leading roles are qualified and responsible, that they will fairly and adequately represent all of the parties on their side, and that their charges will be reasonable.” *Coordination in Multiparty Litigation – Lead/Liaison Counsel and Committees*, Manual for Complex Litigation, § 10.22 (4th ed.). “Counsel designated by the court also assume a responsibility to the court and an obligation to act fairly, efficiently, and economically in the interests of all parties and parties’ counsel.” *Id.*

The Court has reviewed the applications for Plaintiffs’ lead counsel and has no doubt that all the attorneys who applied for appointment are highly qualified. After careful consideration, the Court concludes that the structure proposed by the Niessing plaintiff group best meets the needs of the Plaintiffs and the expectations of the Court.² The Court therefore appoints Plaintiffs’ interim leadership counsel as follows:

² This plaintiff group consists of Plaintiffs Niessing, Jaffa, P.B., Wheeler, DeJesus, Corbray, Jones, Vadla, Cleveland, Ayandibu, Thomas, Scorpio, Noble, and Rosado. Additionally, counsel for Plaintiffs Baines, Halcarz, and Hahn submitted notices in support of this group’s application.

Co-Lead Counsel

Maureen Brady McShane & Brady LLC Kansas City, MO	William Federman Federman & Sherwood Oklahoma City, OK
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Executive Committee

Raina Borrelli Strauss Borelli PLLC Chicago, IL	Casondra Turner Milberg, PLLC Atlanta, GA	
Kennedy Brian Siri & Glimstad LLP Oklahoma City, OK	Sabita Soneji Tycko & Zavareei LLP Oakland, CA	Gerald Wells Lynch Carpenter, LLP Philadelphia, PA
Jeff Ostrow Kopelowitz Ostrow P.A. Fort Lauderdale, FL	Amber Schubert Schubert Jonckheer & Kolbe LLP San Francisco, CA	

The Executive Committee will consult with and operate under the direction of co-lead counsel to coordinate Plaintiffs' pre-trial activities. Among the duties of co-lead counsel are:

1. Determine and present matters to the Court during pretrial proceedings;
2. Manage this litigation on behalf of the putative plaintiff class, ensuring that proceedings are effective, efficient, and economical;
3. Coordinate and conduct discovery, employing consultants or experts as necessary;
4. Maintain a document depository and provide files to counsel upon request;
5. Maintain a complete service list of Plaintiffs' counsel and distribute as appropriate any discovery, notices, correspondence, and other documents not filed on the ECF docket;
6. Consult with and encourage full cooperation among all plaintiffs' counsel, and delegate specific tasks to members of the Executive Committee and/or other counsel in an effort to maximize efficiency, avoiding unnecessary expenditures;

7. Fund the necessary and appropriate costs of discovery and other common benefit efforts;
8. Coordinate settlement discussions or other dispute resolution efforts;
9. Enter into stipulations with opposing counsel as necessary;
10. Prepare and distribute periodic status reports to all parties;
11. Establish a protocol for timekeeping and recordkeeping for work performed in the prosecution of Plaintiffs' claims, including a mechanism for maintenance of disbursements and receipts for common benefit work, for submission to the Court for approval; and
12. Perform such other functions as necessary to effectuate these responsibilities or as may be directed or authorized by the Court.

At the initial conference, Plaintiffs' counsel agreed that it was unnecessary to appoint separate liaison counsel. For judicial efficiency, Ms. Brady will serve as the primary point of contact vis-à-vis the Court on behalf of the Plaintiffs. In this capacity, she will coordinate any scheduling and other logistics involving the Court's calendar, communicate with Court staff regarding procedural or other non-substantive matters, and convey related information to leadership and/or other counsel as appropriate.

Defendants' Counsel

Lead counsel for Defendants Cognizant and TriZetto consists of Jason Fagelman, Joseph Simmons, and Luke Maher of Norton Rose Fulbright US LLP. As confirmed at the initial conference, Mr. Fagelman will serve as the primary point of contact for the Court.

Also during the conference, the Court directed counsel for the healthcare provider Defendants to confer and identify liaison counsel. In an effort not to prejudice additional provider defendants, the Court indicated that liaison counsel would not be considered for future appointment as lead counsel for this group, if necessary. The Court may reconsider this issue

after initial discovery. At this time, however, consistent with the group's designation, Jill Fertel of Cipriani & Werner, P.C. will serve as liaison counsel for the healthcare provider Defendants.

Defendants' respective lead and liaison counsel shall be generally responsible for coordinating the activities of Defendants during pretrial proceedings, similar to the duties of interim class counsel to the extent applicable. Defendants should endeavor to file joint submissions, or avoid duplication by other means, except where the interests of the two groups diverge.

General Provisions

The foregoing appointments are specific to the named individuals. While the Court understands that other members of their firms may assist with given tasks, the appointed individuals are ultimately responsible for the work performed in this case and all filings submitted to the Court.³ The Court may add or replace appointees at their request, at the request of other leadership, or *sua sponte* as warranted.

No papers shall be served or filed, and no process, discovery, or other procedure shall be commenced by any counsel other than leadership counsel except with their consent or with leave of the Court on matters of potential prejudice, and then only after unsuccessful efforts to raise the issue through leadership. The Court expects all leadership counsel to act cooperatively and make reasonable efforts to ensure that communication among the parties is open and frequent and that the interests of all parties be considered in all planning and pretrial matters. Notwithstanding this expectation, every lawyer involved in this case must register in the Court's ECF system and enter an appearance.

³ In particular, counsel are reminded of the undersigned's policy with respect to artificial intelligence, available on the Court's website.

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' interim leadership structure will be as follows:

1. Maureen Brady of McShane & Brady LLC, and William Federman of Federman & Sherwood are appointed as Plaintiffs' interim co-lead counsel. They shall generally be responsible for coordinating the activities of Plaintiffs during pre-trial proceedings as further described above. Ms. Brady will serve as the Court's primary contact.
2. The following individuals are appointed to Plaintiffs' Executive Committee:
 - Raina Borrelli of Strauss Borelli PLLC
 - Kennedy Brian of Siri & Glimstad LLP
 - Jeff Ostrow of Kopelowitz Ostrow P.A.
 - Casandra Turner of Milberg, PLLC
 - Amber Schubert of Schubert Jonckheer & Kolbe LLP
 - Gerald Wells of Lynch Carpenter, LLP

The Executive Committee shall consult with and operate under the direction of co-lead counsel in coordinating Plaintiffs' pre-trial activities.

IT IS FURTHER ORDERED that Jason Fagelman, Joseph Simmons, and Luke Maher of Norton Rose Fulbright US LLP are recognized as lead counsel for Defendants Cognizant Technology Solutions Corporation and TriZetto Provider Solutions, LLC. Mr. Fagelman will serve as the Court's primary contact.

IT IS FURTHER ORDERED that Jill Fertel of Cipriani & Werner, P.C. is appointed interim liaison counsel for Defendants St. Anthony's Physician Organization Hospitalist Services, L.C., One Community Health, Open Door Community Health Centers, and Cares

Community Health. The Court may revisit this appointment if any additional healthcare providers are named as defendants in this matter.

IT IS FURTHER ORDERED that the first monthly status conference set for August 10, 2026, at 1:30 p.m., and all subsequent conferences will be held remotely via Zoom unless otherwise directed. Any party may request an in-person conference if warranted. The parties may submit a joint proposed agenda to chambers by the Friday preceding each conference.

IT IS FINALLY ORDERED that, pursuant to the Court's previous order (Doc. 22), the parties shall submit a proposed schedule for limited discovery within **seven days** and shall complete said discovery within **45 days**.

Dated this 6th day of July 2026.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE