

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**NANCY MARTIN,
et al.,
Plaintiffs,**

vs.

**ROBERT TAFT,
et al.,
Defendants.**

**Case No. C2-89-362
Judge Edmund A. Sargus, Jr.
Magistrate Judge Norah McCann King**

ORDER


The Court has read and considered the parties' objections to the appointment of a Special Master in this case. The parties object primarily on the basis that the continued vitality of the class is now at issue as set forth in the various motions to decertify and to disqualify class counsel. The Court is of the opinion that all avenues to a settlement of this case must be explored and exhausted before ruling on the potential dismantling of this fifteen-year old class action.

The objections are **OVERRULED**. The Court intends to appoint Mark Landes as the Special Master. Accordingly, Mr. Landes will file an **AFFIDAVIT**, consistent with Federal Rule of Civil Procedure 53(b)(3), disclosing whether there is any ground for disqualification under 29 U.S.C. § 455 by **FEBRUARY 18, 2005**. If a ground for disqualification is disclosed, the parties shall have until **FEBRUARY 25, 2005** to inform the Court whether they will consent to waive the disqualification.

The Clerk is directed to serve a copy of this Order on Mark Landes by mail at Isaac, Brant, Ledman & Teetor, LLP and electronically at marklandes@isaacbrant.com.

IT IS SO ORDERED.

2-15-2005
DATED



EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE