

STATE OF MINNESOTA
COUNTY OF RAMSEY

EMPLOYMENT
DISTRICT COURT
SECOND JUDICIAL DISTRICT

Clifford L. Whitaker, et al., on behalf of)
themselves and all others similarly)
situated,)

Plaintiffs,)

vs.)

3M Company,)

Defendant.)

Court File No. 62-C4-04-012239

[G. Johnson]

**ORDER MODIFYING AMENDED
ORDER REGARDING *EX PARTE*
COMMUNICATIONS WITH PUTATIVE
CLASS MEMBERS AND CURRENT
AND FORMER EMPLOYEES**

[Class Action]

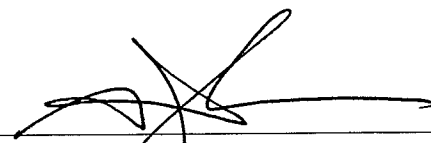
This matter came on for hearing before the undersigned, a Judge of District Court, on January 16, 2007, on Plaintiffs' Motion to Amend the Amended Order Regarding *Ex Parte* Communications with Putative Class Members and Current and Former Employees, signed October 19, 2005, to allow contact with certain former employees.

Based upon the arguments of counsel, and upon all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED that plaintiffs' Motion is granted. The Court will sign and enter the attached Second Amended Order Regarding *Ex Parte* Communications with Putative Class Members and Current and Former Employees.

Dated: 2/21, 2007

By the Court:



Gregg E. Johnson
District Court Chief Judge

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**SECOND AMENDED ORDER
REGARDING *EX PARTE*
COMMUNICATIONS WITH PUTATIVE
CLASS MEMBERS AND CURRENT
AND FORMER EMPLOYEES**

[Class Action]

PUTATIVE CLASS:

1. For purposes of communications, until further order of this Court, the putative class is defined as follows:

All persons who were 46 years of age or older when employed by 3M in Minnesota, in a salaried position below the level of director, or salary grade 18, at any time and who did not sign a document on or about their last day of employment purporting to release claims arising out of their employment with 3M.

PLAINTIFFS' COUNSEL:

2. Plaintiffs' counsel may engage in communications with all former 3M employees subject to the following limitations:

a. If initiating the contact, prior to any discussion of facts, Plaintiffs' counsel shall fully disclose to former employees their identity and their representation of plaintiffs in this action; state that the interests of their clients are adverse to those of 3M; state that they seek to represent the interests of all members of the putative class, but that the Court will decide whether they may do so and whether the case will be certified as a class action; state that the reason they

