

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

INTERNATIONAL UNION,  
UNITED AUTOMOBILE,  
AEROSPACE, AND  
AGRICULTURAL IMPLEMENT  
WORKERS OF AMERICA; and  
EARL L. HENRY, BONNIE J.  
LAURIA, RAYMOND B. BAILEY,  
THEODORE J. GENCO, MARVIN  
C. MARLOW, CHARLES R.  
MILLER, and LAVERNE M.  
SORIANO on behalf of themselves  
and all other persons similarly  
situated,

Plaintiffs,

v.

GENERAL MOTORS  
CORPORATION,

Defendant.

Case No.: 05-73991

Hon. Robert E. Cleland  
Magistrate Virginia M. Morgan

**CLASS ACTION**

**ORDER**

Having reviewed and considered Participant-Plaintiffs' Motion for Class Certification, the Court HEREBY ORDERS as follows:

1. The Motion for Certification is granted. For a class to be certified, the proposed group of litigants must satisfy the requirements of Rule 23(a) and fall within one of the three subdivisions of Rule 23(b). Fed.R.Civ.P. 23(a) & (b). The Court finds that all of the requirements of Rule 23(a) are satisfied here, including

that the named representatives are adequate to represent the class. The Court also finds that certification is appropriate under Rule 23(b)(2).

2. In light of the above, the Court hereby certifies the following class:

All persons who, as of November 11, 2005, were (a) GM/UAW hourly employees who had retired from GM with eligibility to participate in retirement in the GM Health Care Program for Hourly Employees , or (b) the spouses, surviving spouses and dependents of GM/UAW hourly employees, who, as of November 11, 2005, were eligible for post-retirement or surviving spouse health care coverage under the GM Health Care Program for Hourly Employees as a consequence of a GM/UAW hourly employee's retirement from GM or death prior to retirement.

3. William T. Payne, John Stember and Edward J. Feinstein are appointed as counsel for the class. The Court finds that these attorneys will fairly and adequately represent the interests of the class, in consideration of the work counsel has done in identifying or investigating potential claims in this action, counsel's experience in handling class actions, other complex litigation, and claims of the type asserted in this action, counsel's knowledge of the applicable law, and the resources counsel will commit to representing the class. See Rule 26(g).

So Ordered,

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: December 22, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 22, 2005, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522