

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

ROY THOMAS MOULD, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-362-Orl-28DAB
(Lead Case)

STEPHEN HOFMAYER, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-363-Orl-28DAB

MICHAEL CHOPYK, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-00374-Orl-28DAB

BENJAMIN ALTURI, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-379-Orl-18DAB

MARK J. ZAUSMER, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-396-Orl-18DAB

MARGARET HANSEN, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-417-Orl-28DAB

DONALD G. MARKS, individually and on behalf of all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-490-Orl-28DAB

CONRAD L. HOOVER, on behalf of himself and all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-512-JA-DAB

SHEPPARD L. MASAREK, individually and on behalf of all others similarly situated,

Plaintiff,

v.

PAINCARE HOLDINGS, INC., RANDY LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-587-Orl-28KRS

JEFFREY A. MILLER, HENRY P. MILLER,
JUDY A. MILLER and KAREN M.
MILLER, individually and for a class of
similarly situated persons,

Plaintiffs,

v.

PAINCARE HOLDINGS, INC., RANDY
LUBINSKY, and MARK SZPORKA,

Defendants.

Case No. 6:06-cv-676-ORL-28KRS

**MOTION FOR CONSOLIDATION, APPOINTMENT OF
LEAD PLAINTIFFS AND APPROVAL OF SELECTION OF CO-LEAD COUNSEL**

Plaintiff-Movant Roy Mould, and additional lead plaintiff movants Tina Rosen, Richard Goldberg, Neal Merkley, and Michael Greco (collectively “Movants” or the “Mould Group”) respectfully move for an order, pursuant to Fed. R. Civ. P. 42(a), consolidating the above-captioned actions, and, pursuant to Section 21D(a)(3) of the Securities Exchange Act of 1934 (the “Exchange Act”), 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”): (i) appointing Movants as Lead Plaintiffs of the class of purchasers of the securities of PainCare Holdings Inc. (“PainCare” or the “Company”), and (ii) approving Movants’ selection of Shalov Stone & Bonner LLP and Sarraf Gentile LLP as Co-Lead Counsel for the Class and Vianale & Vianale LLP as Liaison Counsel for the Class.

The grounds for this motion are set forth in the accompanying memorandum of law and the Declaration of Ronen Sarraf, with exhibits submitted herewith.

Dated: May 19, 2006

Respectfully Submitted,

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**Attorneys for the Mould Group and
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the Class**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 19, 2006, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

N/A

I also effected service via U.S. mail on the following parties in the related cases:

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