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7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 MINGBO CAI, Individually and on Behalf of
 10 All Other Persons Similarly Situated,

11 Plaintiff,

12 v.

13 SWITCH, INC., ROB ROY, GABE NACHT,
 14 ZAREH SARRAFIAN, DONALD SNYDER,
 TOM THOMAS, BRYAN WOLF, GOLDMAN
 15 SACHS & CO. LLC, J.P. MORGAN
 SECURITIES LLC, BMO CAPITAL
 16 MARKETS CORP., WELLS FARGO
 SECURITIES, LLC, CITIGROUP GLOBAL
 17 MARKETS INC., CREDIT SUISSE
 SECURITIES, JEFFERIES LLC, BTIG, LLC,
 18 RAYMOND JAMES & ASSOCIATES, INC.,
 STIFEL, NICOLAUS & COMPANY, INC.,
 19 and WILLIAM BLAIR & COMPANY, LLC,

20 Defendants.

CASE NO.: 2:18-cv-01471-JCM-VCF

**JOINT STIPULATION RE BRIEFING
 SCHEDULE FOR MOTION TO STRIKE**

21
 22 It is HEREBY stipulated, by and among the parties, as follows:

23 WHEREAS, on September 18, 2018, Lead Plaintiff Oscar Farach (“Lead Plaintiff”) and
 24 Defendants filed a Joint Stipulation re Filing of Amended Complaint and Subsequent Briefing,
 25 which set the dates for the filing of an amended complaint, Defendants’ motion to dismiss (if
 26 any), and any subsequent briefing thereon (Dkt. No. 29);
 27

28 **JOINT STIPULATION RE BRIEFING SCHEDULE FOR MOTION TO STRIKE**

1 WHEREAS, on September 28, 2018, Magistrate Judge Cam Ferenbach granted the
2 stipulation and set the following schedule for the amended complaint and Defendants' motion to
3 dismiss:

- 4 1. Plaintiffs shall have until October 12, 2018 to file their amended complaint;
- 5 2. Defendants shall have until November 19, 2018 to file any motion(s) to dismiss
6 the amended complaint;
- 7 3. Plaintiffs shall have until December 21, 2018 to file any opposition(s) to
8 Defendants' motion(s) to dismiss; and
- 9 4. Defendants shall have until January 21, 2019 to file any reply/replies in support of
10 their motion(s) (Dkt. No. 43);

11 WHEREAS, on October 12, 2018, Lead Plaintiff timely filed his Amended Complaint for
12 Violations of the Federal Securities Laws (Dkt. No. 58);

13 WHEREAS, on November 19, 2018, Defendants Switch, Inc. ("Switch"), Rob Roy, Gabe
14 Nacht, Zareh Sarrafian, Donald Snyder, Tom Thomas, and Bryan Wolf (collectively, the "Switch
15 Defendants") timely filed a Motion to Dismiss Plaintiff's Amended Complaint for Violations of
16 the Federal Securities Laws (the "Motion to Dismiss") (Dkt. No. 60);

17 WHEREAS, on November 19, 2018, the Switch Defendants additionally filed a Motion
18 to Strike Allegations from Plaintiff's Amended Class Action Complaint for Violation of the
19 Securities Laws Pursuant to Federal Rule of Civil Procedure 12(f) (the "Motion to Strike") (Dkt.
20 No. 63);

21 WHEREAS, on November 20, 2018, Defendants BMO Capital Markets Corp., BTIG,
22 LLC, Citigroup Global Markets, Inc., Credit Suisse Securities (USA) LLC, Goldman Sachs &
23 Co. LLC, J.P. Morgan Securities LLC, Jefferies LLC, Raymond James & Associates, Inc., Stifel,
24 Nicolaus & Company, Inc., Wells Fargo Securities, LLC, William Blair & Company, L.L.C.
25 (collectively, the "Underwriter Defendants"), filed a Joinder to the Motion to Dismiss (Dkt. No.
26 64);

1 WHEREAS, on November 20, 2018, Underwriter Defendants additionally filed a Joinder
2 to the Motion to Strike (Dkt. No. 66);

3 WHEREAS, pursuant to Local Rule 7-2(b), Lead Plaintiff would have 14 days to respond
4 to the Motion to Strike, and Defendants would have 7 days thereafter to file a reply;

5 WHEREAS, since the Motion to Strike is related to the Motion to Dismiss and
6 incorporates by reference sections of the Motion to Dismiss, counsel for Plaintiffs and counsel
7 for Defendants have met and conferred and have agreed that simultaneous briefing of the two
8 motions would best serve the interests of efficiency and judicial economy.

9 THEREFORE, IT IS HEREBY STIPULATED by and between the parties, and subject to
10 this Court's approval and order, as follows:

11 1. Lead Plaintiff shall have until December 21, 2018 to file an opposition to the
12 Motion to Strike; and

13 2. Defendants shall have until January 21, 2019 to file a reply in support of their
14 Motion to Strike.

15 IT IS SO STIPULATED.

16 Dated: November 21, 2018

GLANCY PRONGAY & MURRAY LLP

17
18 By: s/ Robert V. Prongay
19 Robert V. Prongay, Esq.
20 Casey E. Sadler, Esq.
21 Robert H. Gruber, Esq.
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Lead Counsel for Lead Plaintiff and the Class

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*Liaison Counsel for Lead Plaintiff and the
Class*

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Dated: November 21, 2018

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Attorneys for Defendants Switch, Inc., Rob Roy, Gabe Nacht, Zareh Sarrafian, Donald Snyder, Tom Thomas, and Bryan Wolf

Dated: November 21, 2018

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JOINT STIPULATION RE BRIEFING SCHEDULE FOR MOTION TO STRIKE

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[PROPOSED] ORDER

Pursuant to the Parties' stipulation, Lead Plaintiff shall have until **December 21, 2018** to file an opposition to the Motion to Strike. Defendants shall have until **January 21, 2019** to file a reply in support of their Motion to Strike.

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: 11-21-2018

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PROOF OF SERVICE BY ELECTRONIC POSTING

I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On November 21, 2018, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the District of Nevada, for receipt electronically by the parties listed on the Court’s Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 21, 2018, at Los Angeles, California.

s/ Robert V. Prongay
Robert V. Prongay

Mailing Information for a Case 2:18-cv-01471-JCM-VCF Cai v. Switch, Inc. et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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