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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JORGE SALHUANA, individually and on
behalf of all others similarly situated,

No. C 11-05386 WHA

Plaintiff,

v.

DIAMOND FOODS, INC, MICHAEL J.
MENDES, and STEVEN M. NEIL,

Defendants.

**ORDER (1) SCHEDULING HEARING
ON MOTIONS TO APPOINT LEAD
PLAINTIFF, (2) REQUESTING
INFORMATION FROM LEAD
PLAINTIFF CANDIDATES, (3)
SETTING BRIEFING SCHEDULE**

AND RELATED ACTIONS

All motions to appoint lead plaintiff shall be heard on **FEBRUARY 23, 2012, AT 2 P.M.** in Courtroom 8, 19th Floor, 450 Golden Gate Avenue, San Francisco, California. As opposed to “group” candidates, the Court wishes to evaluate the qualifications of single investors, either institutional investors or individuals, to serve as lead plaintiff. *See In re Network Assocs., Inc., Sec. Litig.*, 76 F. Supp. 2d 1017, 1019–27 (N.D. Cal. 1999). The Court is particularly interested in considering single investors with large losses and in evaluating their experience in managing litigation. Any “group” of movants must narrow its candidates to one or two single investors and file answers to the appended questionnaire by **FEBRUARY 9, 2012**, including the certification called for therein. Each candidate must attend the hearing on **FEBRUARY 23, 2012**, and be prepared to answer questions.

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All motions to appoint lead plaintiff must be timely filed under 15 U.S.C. 78u-4(a)(3) and must be supplemented by the appended questionnaire and certification. All opposition briefs shall be filed and served by **FEBRUARY 9, 2012**. Any reply briefs shall be filed and served by **FEBRUARY 16, 2012**, and shall not exceed ten pages. Each party shall submit only one opposition brief, responding to all other pending motions, and only one reply brief. All questionnaires and other submissions shall be served on all counsel named on the Court's certificate of service.

Applications for class counsel shall be deferred until after the lead plaintiff has been appointed.

IT IS SO ORDERED.



Dated: January 5, 2012.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE