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

BOARD OF TRUSTEES OF CITY OF HIALEAH
EMPLOYEES' RETIREMENT SYSTEM,
derivatively on behalf of Diamond Foods, Inc.,

No. C 11-05692 WHA

Plaintiff,

v.

MICHAEL MENDES, *et al.*,

Defendants.

DAVE LUCIA,

No. C 11-6417 WHA

Plaintiff,

v.

LAURENCE M. BAER, *et al.*,

ORDER TO SHOW CAUSE

Defendants.

The parties in the above-captioned actions have stipulated to consolidate the two derivative actions. They have also stipulated that plaintiffs Board of Trustees of City of Hialeah Employees' Retirement System and Dave Lucia shall serve as co-lead plaintiffs in the consolidated action and that plaintiffs' current counsel Abraham, Fruchter & Twersky, LLP, and Chapin Fitzgerald Sullivan & Bottini, LLP, respectively, shall serve as co-lead counsel.

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The Court is inclined to consolidate the two derivative actions. However, the parties are **ORDERED TO SHOW CAUSE** why co-lead plaintiffs and co-lead counsel should be appointed and why the Court should not first consider motions to appoint lead plaintiff and lead counsel. Please respond by **NOON ON FEBRUARY 10, 2012**.

IT IS SO ORDERED.

Dated: February 7, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE