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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE INVENSENSE, INC. SECURITIES
LITIGATION.

Case No. [15-cv-00084-JD](#)

**ORDER CONSOLIDATING CASES,
APPOINTING LEAD PLAINTIFF AND
LEAD COUNSEL, AND SETTING CASE
SCHEDULE**

The Court issues these orders in this securities class action.

I. CONSOLIDATION

The cases *McMillan v. InvenSense* (15-cv-84), *Plumbers & Steamfitters Local 21 Pension Fund v. InvenSense* (15-cv-249) and *Davis v. InvenSense* (15-cv-425) are consolidated for all purposes including trial pursuant to Federal Rule of Civil Procedure 42(a).

The cases are consolidated into the lowest-numbered case, 15-cv-84, which will be re-captioned *In re InvenSense, Inc. Securities Litigation*. The other two cases will be closed.

II. APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL

Putative class members filed seven competing motions seeking appointment as lead plaintiff under the Private Securities Litigation Reform Act (“PSLRA”), 17 U.S.C. § 78u-4(a)(3)(B)(i). Dkt. Nos. 15, 19, 22, 27, 32, 34 and 36. The movants then filed a stipulation, Dkt. No. 54, that resolved those motions in favor of recommending the Vossen Group (i.e., Gregory Vossen, Ed Farley and Albert DiRienzo) as the “most adequate plaintiff” under the PSLRA, and the Court appoints the Vossen Group as lead plaintiff for the consolidated securities class action.

Pursuant to the Vossen Group’s request, and as further stipulated to by the movants, the Court appoints the law firm of Robbins Geller Rudman & Dowd to represent the class as lead

1 counsel, pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v). The Court sees no reason to disagree with the
2 lead plaintiff's proposal.

3 Consequently, the Vossen Group's motion for appointment as lead plaintiff and approval
4 of selection of counsel, Dkt. No. 36, is granted, and the other motions, Dkt. Nos. 15, 19, 22, 27,
5 32, and 34 are denied, without prejudice to renewal in the event the Vossen Group should ever
6 become unwilling or unable to serve as lead plaintiff.

7 **III. CASE SCHEDULE**

8 Lead plaintiff is ordered to file a consolidated amended complaint 30 days from the date of
9 this order. Defendants are to respond to the complaint within 30 days thereafter. If defendants file
10 a motion to dismiss, plaintiff's response is due in 30 days, and any reply is due in 21 days. These
11 dates are firm and will not be continued. A hearing is to be noticed no earlier than 21 days after
12 the close of briefing.

13 The consolidated complaint will be the operative complaint and supersede all other
14 complaints filed in the underlying actions that were consolidated into this case. Defendants need
15 not respond to those prior complaints.

16 Pursuant to the PSLRA and the Federal Rules of Civil Procedure, and for the sake of
17 clarity and efficient case management, plaintiff is directed to set out in chart form its securities
18 fraud allegations under the following headings on a numbered, statement-by-statement basis:
19 (1) the speaker(s), date(s), and medium; (2) the false and misleading statements; (3) the reasons
20 why the statements were false and misleading when made; and (4) the facts giving rise to a strong
21 inference of scienter. An exemplar can be found at Docket Number 111 in *In re Mellanox*
22 *Technologies, Ltd. Securities Litigation*, Case No. 13-cv-4909. The chart may be attached to or
23 contained in the consolidated complaint, but in any event will be deemed to be a part of the
24 complaint.

25 **IT IS SO ORDERED.**

26 Dated: April 23, 2015

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JAMES DONATO
United States District Judge