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14 [Additional counsel appear on signature page.]

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 DANIEL LUNA, Individually and on Behalf of)	Case No. 3:15-cv-05447-WHA
19 All Others Similarly Situated,)
)
20 Plaintiff,)
)
21 vs.)
)
22 MARVELL TECHNOLOGY GROUP, LTD.,)	STIPULATION AND PROPOSED ORDER
et al.,)	REGARDING CLASS NOTICE
)
23 Defendants.)	PROCEDURES
)
24)

1 IT IS HEREBY STIPULATED AND AGREED by the parties, through their undersigned
2 counsel, that, subject to the Court's approval:

3 1. On October 27, 2017, the Court certified this action as a class action under Rule 23 of
4 the Federal Rules of Civil Procedure (Dkt. No. 202).

5 2. The Class consists of:

6
7 All persons and entities who purchased or otherwise acquired the common stock of
8 Marvell Technology Group, Ltd. ("Marvell" or the "Company") during the period
9 from February 19, 2015 through December 7, 2015, inclusive (the "Class Period"),
10 and were damaged thereby. Excluded from the Class are investors who sold all of
11 their shares prior to September 11, 2015, and Defendants, present or former
12 executive officers of Marvell and their immediate family members (as defined in 17
13 C.F.R. §229.404, Instructions (1)(a)(iii) and (1)(b)(ii)).

14 3. The proposed procedures for giving notice attached hereto as Exhibit C (the "Notice
15 Plan") to the Class comply with the requirements of due process and with Rule 23 of the Federal
16 Rules of Civil Procedure and constitute the best notice practicable under the circumstances.

17 4. The firm of Gilardi & Co. LLC ("Notice Administrator") is appointed and authorized
18 to supervise and administer the notice procedure.

19 5. Within ten (10) calendar days after the Court's approval and entry of this Stipulation
20 and Order, Defendant Marvell Technology Group, Ltd. ("Marvell") shall instruct its securities
21 transfer agent to produce to the Notice Administrator a list, in electronic form, of all persons who
22 purchased or otherwise acquired Marvell common stock during the Class Period (the "Transfer
23 List").

24 6. Within fifteen (15) calendar days of its receipt of Marvell's Transfer List (the "Notice
25 Date"), the Notice Administrator shall send, by first class mail, the agreed-upon proposed Notice of
26 Pendency of Class Action (the "Notice"), substantially in the form attached hereto as Exhibit A, to
27 each purchaser or acquirer identified on the Transfer List. For all Notices returned as undeliverable,
28 the Notice of Administrator shall use best efforts to locate updated addresses.

1 7. The Notice Administrator shall use reasonable efforts to give notice to brokerage
2 firms, banks, institutions, investment funds, investment companies, investment advisors, investment
3 portfolios, mutual fund trusts, mutual investment funds, investment managers, and any other persons
4 or entities who are or who claim to be nominees that purchased or otherwise acquired Marvell
5 common stock during the Class Period for the benefit of another Person (the “Nominees List”).
6 Such nominees shall be requested to either: (a) send the Notice to all such beneficial owners of
7 Marvell common stock within ten (10) calendar days of receipt of the Notice; or (b) send a list of the
8 names and addresses of such beneficial owners to the Notice Administrator within ten (10) calendar
9 days after receipt of the Notice, in which case the Notice Administrator shall promptly mail the
10 Notice to such beneficial owner. Upon full and timely compliance with these directions, such
11 nominees may seek reimbursement from the Notice Administrator of their reasonable expenses
12 actually incurred by providing the Notice Administrator with proper documentation supporting the
13 expenses for which reimbursement is sought. Any disputes with respect to the reasonableness or
14 documentation of expenses incurred shall be subject to review by the Court. Class Counsel shall
15 then communicate weekly with the brokers and custodians identified on the Nominees List to ensure
16 the Notice is sent to beneficial owners in a timely manner.
17

18
19 8. Within ten (10) calendar days after the Notice Date, the Notice Administrator shall:
20 (1) cause the Summary Notice, substantially in the form attached hereto as Exhibit B, to be
21 published on one occasion in the national edition of *Investor’s Business Daily*; and (2) cause the
22 Notice to be posted to the Notice Administrator’s case website.
23

24 9. Within ten (10) calendar days after the Notice Date, Class Counsel shall: (1) issue a
25 press release containing the Summary Notice; (2) post the Notice on the website of Robbins Geller
26 Rudman & Dowd LLP.
27
28

1 10. The Notice shall provide an address for the purpose of receiving requests for
2 exclusion from the Class and requests for additional copies of the Notice. The Notice Administrator
3 shall identify and number all exclusion requests received and create copies of those requests for
4 counsel for all parties. The Notice Administrator shall provide via email weekly reports of exclusion
5 requests received to counsel for all parties. The Notice Administrator will maintain original requests
6 in its files.
7

8 11. The requests for exclusion from the Class shall be made by submitting a written
9 request for exclusion as set forth in the Notice and shall be postmarked within forty-five (45)
10 calendar days after the Notice Date.

11 12. Within fifteen (15) calendar days following the deadline for requesting exclusion, the
12 Notice Administrator shall submit a declaration to the Court setting forth its notification efforts and
13 summarizing the exclusion requests that it received.
14

15 13. Within fifteen (15) calendar days following the deadline for requesting exclusion,
16 Class Counsel shall file all such requests for exclusion with the Court.

17 14. Except for the costs associated with obtaining Marvell's Transfer List, the costs of the
18 notice process shall be borne by Class Counsel, and not by Defendants.

19 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
20

21 DATED: November 16, 2017

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SCOTT H. SAHAM
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25 s/ Scott H. Saham
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DATED: November 16, 2017

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Attorneys for Marvell Technology Group, Ltd.

1 DATED: November 16, 2017

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Attorneys for Defendant Sehat Sutardia

* * *

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: November 17, 2017.


THE HONORABLE WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

ATTESTATION

I, Scott H. Saham, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Class Notice Procedures. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Valerie Roddy and Virginia Milstead have concurred in this filing.

s/ Scott H. Saham
SCOTT H. SAHAM