

1 STEVEN M. SCHATZ, State Bar No. 118356
 KATHERINE L. HENDERSON, State Bar No. 242676
 2 DIANE M. WALTERS, State Bar No. 148136
 MICHAEL PETROCELLI, State Bar No. 269460
 3 WILSON SONSINI GOODRICH & ROSATI
 Professional Corporation
 4 650 Page Mill Road
 Palo Alto, CA 94304-1050
 5 Telephone: (650) 493-9300
 Facsimile: (650) 493-6811
 6 Email: sschatz@wsgr.com
 Email: khenderson@wsgr.com
 7 Email: dwalters@wsgr.com
 Email: mpetrocelli@wsgr.com

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 9 Attorneys for Defendant
 SUNPOWER CORPORATION

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 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 KENNETH BRISTOW, Individually and On)
 Behalf of All Others Similarly Situated,)
 15)
 Plaintiff,)
 16)
 v.)
 17)
 SUNPOWER CORPORATION, THOMAS H.)
 18 WERNER, and CHARLES D. BOYNTON,)
 19 Defendants.)

CASE NO.: 3:16-cv-04710-RS
STIPULATION AND ~~PROPOSED~~
ORDER IN SUPPORT OF
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED
(Civ. L.R. 3-12)

20 _____)
 21 JAY PATEL, Individually and On Behalf of All)
 Others Similarly Situated,)
 22)
 Plaintiff,)
 23)
 v.)
 24)
 SUNPOWER CORPORATION, THOMAS H.)
 25 WERNER, and CHARLES D. BOYNTON,)
 26 Defendants.)

CASE NO.: 3:16-cv-04915-WHO

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 28 STIPULATION RE ADMIN. MOTION TO CONSIDER
 WHETHER CASES SHOULD BE RELATED (CIV. L. R.
 3-12)
 CASE NOS. 16-CV-04710-RS, 16-CV-04915-WHO,
 16-CV-05312-NC, 16-CV-05381-NC

1 BERNARD STERN, derivatively on behalf of)
SUNPOWER CORPORATION,)
2)
Plaintiff,)
3)
v.)
4)
THOMAS H. WERNER, CHARLES D.)
5 BOYNTON, ARNAUD CHAPERON,)
BERNARD CLÉMENT, DENIS GIORNO,)
6 DANIEL LAURÉ, CATHERINE LESJAK,)
THOMAS R. MCDANIEL, HUMBERT DE)
7 WENDEL, and PAT WOOD, III,)
8)
Defendants,)
9)
and)
10 SUNPOWER CORPORATION ,)
11)
Nominal Defendant.)

CASE NO.: 3:16-cv-05312-NC

12)
13 PETER MOSCONE, Derivatively on Behalf of)
Nominal Defendant SUNPOWER)
CORPORATION,)
14)
Plaintiff,)
15)
v.)
16)
BERNARD CLÉMENT, DENIS GIORNO,)
17 CATHERINE LESJAK, ARNAUD)
CHAPERON, DANIEL LAURÉ, PAT WOOD)
18 III, THOMAS R. MCDANIEL, HUMBERT DE)
WENDEL, and THOMAS H. WERNER,)
19)
Defendants,)
20)
and)
21)
SUNPOWER CORPORATION, a Delaware)
22 Corporation,)
23)
Nominal Defendant.)

CASE NO.: 3:16-cv-05381-NC

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25)
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27)
28 STIPULATION RE ADMIN. MOTION TO CONSIDER
WHETHER CASES SHOULD BE RELATED (CIV. L. R.
3-12)
CASE NOS. 16-CV-04710-RS, 16-CV-04915-WHO,
16-CV-05312-NC, 16-CV-05381-NC

1 WHEREAS, there are two shareholder class actions and two shareholder derivative
2 actions pending in the U.S. District Court for the Northern District of California and arising out
3 of a common set of facts, as set forth below:

<u>Case Name</u>	<u>Case No.</u>	<u>Filing Date</u>
<i>Bristow v. SunPower Corp., et al.</i>	Case No. 16-cv-04710-RS	Aug. 16, 2016
<i>Patel v. SunPower Corp., et al.</i>	Case No. 16-cv-04915-WHO	Aug. 26, 2016
<i>Stern v. Werner, et al.</i>	Case No. 16-cv-05312-NC	Sept. 16, 2016
<i>Moscone v. Clement, et al.</i>	Case No. 16-cv-05381-NC	Sept. 20, 2016

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9 WHEREAS, pursuant to Civil Local Rule 3-12, defendant SunPower Corporation has
10 filed concurrently herewith an administrative motion to consider whether the *Patel*, *Stern*, and
11 *Moscone* actions should be deemed related to the previously filed *Bristow* action and reassigned
12 to the Honorable Richard Seeborg;

13 WHEREAS, the *Bristow*, *Patel*, *Stern*, and *Moscone* actions arise from substantially
14 similar facts and circumstances;

15 WHEREAS, it appears likely that there will be an unduly burdensome duplication of
16 labor and expense or conflicting results if these cases are conducted before different judges;

17 WHEREAS, defendants have not yet responded to the complaints in any of these actions;

18 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among
19 counsel for the undersigned parties, subject to approval of the Court, that the *Patel*, *Stern*, and
20 *Moscone* actions should be deemed related to the first-filed *Bristow* action and reassigned to the
21 Honorable Richard Seeborg.
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1 Dated: October 13, 2016

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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By: /s/ Steven M. Schatz
Steven M. Schatz

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650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 493-6811
Email: sschatz@wsgr.com

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8

Attorneys for Defendant SunPower Corporation

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10 Dated: October 13, 2016

GLANCY PRONGAY & MURRAY LLP

11

12

By: /s/ Lesley F. Portnoy
Lesley F. Portnoy

13

14

Lionel Z. Glancy
Robert V. Prongay
Lesley F. Portnoy
Charles H. Linehan
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
Email: lportnoy@glancylaw.com

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19

LAW OFFICES OF HOWARD G. SMITH
Howard G. Smith
3070 Bristol Pike, Suite 112
Bensalem, PA 19020
Telephone: (215) 638-4847
Facsimile: (215) 638-4867

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Attorneys for Plaintiff Kenneth Bristow

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1 Dated: October 13, 2016

POMERANTZ LLP

2

By: /s/ J. Alexander Hood II, admitted pro hac vice
J. Alexander Hood II

3

4

Jeremy A. Lieberman
J. Alexander Hood II
600 Third Avenue, 20th Floor
New York, New York 10016
Telephone: (212) 661-1100
Facsimile: (212) 661-8665
Email: ahood@pomlaw.com

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8

POMERANTZ LLP
Jennifer Pafiti
468 North Camden Drive
Beverly Hills, CA 90210
Telephone: (818) 532-6499

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Attorneys for Plaintiff Jay Patel

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Dated: October 13, 2016

BRODSKY & SMITH, LLC

13

14

By: /s/ Evan J. Smith
Evan J. Smith

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16

9595 Wilshire Blvd.
Beverly Hills, CA 90212
Telephone: (877) 534-2590
Facsimile: (310) 247-0160

17

18

PROFY PROMISLOFF & CIARLANTO, P.C.
Jeffrey J. Ciarlanto
Joseph M. Profy
David M. Promisloff
100 N. 22nd Street, Unit 105
Philadelphia, PA 19103
Telephone: (215) 259-5156
Facsimile: (215) 600-2642

19

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22

23

LAW OFFICE OF ALFRED G. YATES, JR., P.C.
Alfred G. Yates, Jr.
Gerald L. Rutledge
519 Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219
Telephone: (412) 391-5164
Facsimile: (412) 471-1033

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Attorneys for Plaintiff Bernard Stern

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STIPULATION RE ADMIN. MOTION TO CONSIDER
WHETHER CASES SHOULD BE RELATED (CIV. L. R.
3-12)
CASE NOS. 16-CV-04710-RS, 16-CV-04915-WHO,
16-CV-05312-NC, 16-CV-05381-NC

1 Dated: October 13, 2016

THE WAGNER FIRM

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By: /s/ Avi N. Wagner

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Avi N. Wagner

4

1925 Century Park East, Suite 2100

5

Los Angeles, CA 90067

6

Telephone: (310) 491-7949

Facsimile: (310) 694-3967

Email: avi@thewagnerfirm.com

7

GAINEY McKENNA & EGGLESTON

8

Thomas J. McKenna

Gregory M. Egleston

9

440 Park Avenue South, 5th Floor

New York, NY 10016

10

Telephone: (212) 983-1300

Facsimile: (212) 983-0383

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Attorneys for Plaintiff Peter Moscone

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28 STIPULATION RE ADMIN. MOTION TO CONSIDER
WHETHER CASES SHOULD BE RELATED (CIV. L. R.
3-12)
CASE NOS. 16-CV-04710-RS, 16-CV-04915-WHO,
16-CV-05312-NC, 16-CV-05381-NC

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PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 10/14/16



The Honorable Richard Seeborg
United States District Judge

1 I, Diane M. Walters, am the ECF user whose ID and password are being used to file this
2 STIPULATION AND [PROPOSED] ORDER IN SUPPORT OF ADMINISTRATIVE
3 MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED. In compliance with
4 Civil Local Rule 5-1(i)(3), I hereby attest that Steven M. Schatz, Lesley F. Portnoy, J. Alexander
5 Hood II, Evan J. Smith, and Avi N. Wagner have concurred in this filing.
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7 Dated: October 13, 2016

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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By: /s/ Diane M. Walters
Diane M. Walters
dwalters@wsgr.com

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