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

JAMES FELIX, individually and on behalf
of all others similarly situated,

No. C 18-02902 WHA

Plaintiff,

v.

**ORDER APPROVING
LEAD PLAINTIFF'S
SELECTION OF COUNSEL**

SYMANTEC CORPORATION,
GREGORY S. CLARK, and NICHOLAS
R. NOVIELLO,

Defendants.

_____ /

An order dated August 23 appointed SEB Investment Management lead plaintiff. On August 30, SEB filed its certification signed by Hans Ek, SEB’s acting CEO. SEB now moves for appointment of lead counsel. In compliance with the August 23 order, SEB has submitted under seal declarations explaining the due diligence it has undertaken in its selection of counsel, including an explanation of why it favors its selected counsel over other potential candidates. SEB has reviewed counsel proposals from several law firms and has submitted its recommendation under seal for the Court’s review (Dkt. Nos. 75, 77, 86).

Pursuant to the Private Securities Litigation Reform Act, “[t]he most adequate plaintiff shall, subject to the approval of the court, select and retain counsel to represent the class.” 15 U.S.C. 78u-4(a)(3)(B)(v). “[I]f the lead plaintiff has made a reasonable choice of counsel, the district court should generally defer to that choice.” *Cohen v. U.S. Dist. Court for N. Dist. of Cal.*, 586 F.3d 703, 712 (9th Cir. 2009).

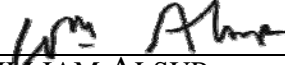
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Based on the recommendation of lead plaintiff and based on the Court’s review of the materials submitted, the Court appoints the firm of Bernstein Litowitz Berger & Grossmann LLP as class counsel. Although SEB has selected a firm with the least attractive fee proposal, SEB states that other considerations outweigh that disadvantage. This order defers to the judgment of lead plaintiff (even though the Court may have made a different decision). The Court will likely take into account the competing fee proposals in awarding attorney’s fees in this matter. The Court appreciates the time and effort undertaken by the other firms that applied to serve as counsel for lead plaintiff.

Lead plaintiff shall file a consolidated complaint by **NOVEMBER 15 AT NOON**. Defendants may file a motion to dismiss (or answer) by **DECEMBER 27 AT NOON**. Any such motion shall be noticed on the normal 35-day track.

IT IS SO ORDERED.

Dated: October 4, 2018.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE