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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

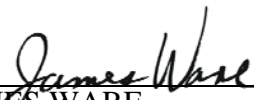
NO. C 04-04908 JW

In re UTSTARCOM, Inc. Securities Litigation

**ORDER CONTINUING HEARING ON  
MOTIONS**

Presently before the Court are Defendants' Motion to Dismiss or Strike the Fourth Amended Complaint (Docket Item Nos. 257, 258), Defendant's Softbank's Motion to Strike (Docket Item No. 271), and James Bartholomew's Motion to Intervene and to Strike Allegations (Docket Item Nos. 252, 253) set for hearing on December 15, 2008. Having reviewed the parties' papers, the Court finds that the motions cannot be heard on its regular law and motion calendar. Accordingly, the Court CONTINUES the hearing from December 15, 2008 to **January 16, 2009 at 9 a.m.** to provide sufficient time for the parties to present their positions.

Dated: November 20, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

United States District Court  
For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Amanda Lenore Kosowsky amanda.kosowsky@cwt.com  
3 Amie Danielle Rooney rooneya@sullcrom.com  
4 Bahram Seyedin-Noor bnoor@wsgr.com  
5 Boris Feldman boris.feldman@wsgr.com  
6 Bryan Jacob Ketrosor [bketroser@wsgr.com](mailto:bketroser@wsgr.com)  
7 Cheryl Weisbard Foug cfoug@wsgr.com  
8 Christopher J. Keller ckeller@labaton.com  
9 Christopher Paul Seefer chriss@csgrr.com  
10 Elizabeth Pei Lin elin@milberg.com  
11 Eric J. Belfi ebelfi@labaton.com  
12 Gregory A Markel gregory.markel@cwt.com  
13 Inna Zatulovsky izatulovsky@morganlewis.com  
14 Jason de Bretteville debrettevillej@sullcrom.com  
15 Kimberly C. Epstein e\_file\_sf@csgrr.com  
16 Lionel Z. Glancy info@glancylaw.com  
17 Mark Punzalan mpunzalan@finkelsteinthompson.com  
18 Marvin L. Frank mfrank@murrayfrank.com  
19 Michael John Lawson michael.lawson@morganlewis.com  
20 Michael M. Goldberg info@glancylaw.com  
21 Patricia I. Avery pavery@wolfpopper.com  
22 Patrick J. Coughlin PatC@csgrr.com  
23 Philip Howard Gordon pgordon@gordonlawoffices.com  
24 Rachele R. Rickert rickert@whafh.com  
25 Robert Andrew Sacks sacksr@sullcrom.com  
26 Ronit Setton ronit.setton@cwt.com  
27 Scott Christensen Hall halls@sullcrom.com  
28 Shirley H. Huang shirleyh@csgrr.com  
Stephanie L. Dieringer sldieringer@hulettharper.com  
Sylvia Sum SSum@csgrr.com  
Terry T. Johnson tjohnson@wsgr.com  
Vincent P. Finigan vfinigan@morganlewis.com  
William S. Lerach e\_file\_sd@lerachlaw.com

19 **Dated: November 20, 2008**

**Richard W. Wieking, Clerk**

21 **By: /s/ JW Chambers**

**Elizabeth Garcia**  
**Courtroom Deputy**