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

10 In re Juniper Networks, Inc. Securities
11 Litigation

NO. C 06-04327 JW

12 **ORDER VACATING CASE**
13 **MANAGEMENT CONFERENCE;**
14 **SETTING BRIEFING SCHEDULE FOR**
MOTION FOR SUMMARY JUDGMENT
AS PREMATURE

15 On February 9, 2009, the parties are scheduled to appear for a Case Management
16 Conference. The parties timely filed a Joint Case Management Statement. (Docket Item No. 187.)

17 In their Joint Statement, the parties represent that Plaintiffs are prepared to file a Motion for
18 Class Certification on or before March 2, 2009. The parties request that the Court allow for an
19 extended briefing schedule, so that the parties may conduct discovery before filing opposition and
20 reply briefs to Plaintiffs' anticipated motion. In the interest of advancing this litigation, however,
21 the Court is not inclined to permit the type of open-ended schedule proposed by the parties.
22 Accordingly, the Court orders the parties to adhere to the following briefing schedule for Plaintiffs'
23 anticipated Motion for Class Certification:

- 24 (1) On or before **March 2, 2009**, Plaintiffs shall file their Motion for Class Certification.
25 (2) On or before **May 1, 2009**, Defendants shall file their Opposition to class
26 certification.
27 (3) On or before **June 15, 2009**, Plaintiffs shall file their Reply in support of class
28 certification.

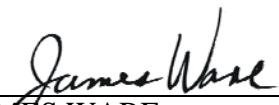
1 (4) On **June 29, 2009 at 9:00 a.m.**, the parties shall appear for a hearing on Plaintiffs'
2 Motion for Class Certification.

3 Following submission of the parties' Joint Statement, Plaintiffs submitted a Supplementary
4 Case Management Statement (Docket Item No. 188), in which they object to the timeliness of a
5 Motion for Summary Judgment, filed by Defendants on January 23, 2009, and noticed for hearing on
6 March 16, 2009. (See Docket Item No. 183.) Defendants filed a Response to Plaintiffs'
7 Supplementary Statement. (Docket Item No. 191.)

8 Upon consideration of the status of this action, in which the deadline for fact discovery is set
9 for December 1, 2009, the Court finds that Defendants' Motion for Summary Judgment is
10 premature. If Defendants seek to defeat Plaintiffs' claims on the basis of loss causation, Defendants
11 will have opportunities to advance such arguments after the completion of discovery. At the very
12 least, Defendants must refrain from raising loss causation issues until the class certification stage,
13 when they may seek to limit the scope of any class that the Court may certify. Accordingly,
14 Defendants' Motion for Summary Judgment is DENIED as premature, without prejudice to be
15 renewed following discovery.

16 In light of this Order, the Court finds that a Case Management Conference is unnecessary at
17 this time. Accordingly, the Court VACATES the February 9, 2009 Case Management Conference.

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19 Dated: February 4, 2009



JAMES WARE
United States District Judge

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

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Dated: February 4, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
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Courtroom Deputy