

United States District Court
For the Northern District of California

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E-FILED on 9/8/08

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

In re MARVELL TECHNOLOGY GROUP
LTD. SECURITIES LITIGATION

This Documents Relates To:

All Actions

No. C-06-06286 RMW

ORDER TAKING LEAD PLAINTIFFS'
MOTION TO MODIFY THE PSLRA STAY
UNDER SUBMISSION WITHOUT ORAL
ARGUMENT

[Re Docket No. 221]

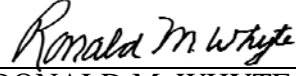
Scheduled for hearing on September 12, 2008 is lead plaintiffs' motion for partial modification of the stay imposed by the Private Securities Litigation Reform Act ("PSLRA"). Pursuant to 15 U.S.C. § 78u-4(b)(3)(B), discovery is presently stayed pending the court's ruling on defendants' motions to dismiss heard February 15, 2008. Section 78u-4(b)(3)(B) provides for an automatic stay of discovery and other proceedings during the pendency of a motion to dismiss "unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party." Lead plaintiffs' motion seeks a modification of the stay pursuant to this provision. Defendants oppose the motion on the grounds that it is inapplicable, as there is no imminent risk that discovery will be lost and that plaintiffs will not suffer any undue prejudice.

ORDER TAKING LEAD PLAINTIFFS' MOTION TO MODIFY THE PSLRA STAY UNDER SUBMISSION WITHOUT ORAL ARGUMENT—No. C-06-06286 RMW
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Having reviewed the parties' papers, the court does not believe that oral argument is necessary. Accordingly, the matter shall be deemed submitted on the papers. *See* Civil L.R. 7-1(b). Should the court later decide that it would benefit from oral argument, the parties will be notified.

DATED: 9/8/08



RONALD M. WHYTE
United States District Judge

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24 registered for e-filing under the court's CM/ECF program.

26 **Dated:** 9/8/08 _____

_____/s/ MAG
Chambers of Judge Whyte