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Attorneys for Plaintiffs Olga Ratinova and Lisa E. Coppola, IRA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

OLGA RATINOVA, derivatively on behalf of  
JUNIPER NETWORKS, INC.,

Plaintiff,

v.

KEVIN JOHNSON, SCOTT KRIENS,  
PRADEEP SINDHU, ROBERT M.  
CALDERONI, MARY B. CRANSTON, JOHN  
MICHAEL LAWRIE, STRATTON SCLAVOS,  
WILLIAM R. STENSRUD, WILLIAM  
MEEHAN, DAVID SCHLOTTERBECK,  
MERCEDES JOHNSON,

Defendants,

CASE NO: 11-CV-4792-LHK

**STIPULATION AND [~~PROPOSED~~]  
ORDER REGARDING  
CONSOLIDATION**



1           WHEREAS, plaintiff Olga Ratinova (“Ratinova”) filed a Verified Shareholder Derivative  
2 Complaint on September 27, 2011 (the “Ratinova Action”);

3           WHEREAS, plaintiff Lisa E. Coppola, IRA (“Coppola”) filed a Verified Shareholder  
4 Derivative Complaint December 28, 2011 (the “Coppola Action”);

5           WHEREAS, all parties agree that consolidating the Ratinova Action, the Coppola Action,  
6 and all similar later filed actions is in the interests of judicial economy and the efficient  
7 management of this litigation;

8           WHEREAS, all parties agree that lead and liaison counsel should be appointed on behalf  
9 of plaintiffs in such consolidated litigation, with Ratinova and Coppola agreeing that the law  
10 firms Levi & Korsinsky LLP (“Levi & Korsinsky”) and the Law Offices of David A Bain, LLC  
11 (the “Bain Firm”) should be appointed Co-Lead Counsel and Bramson, Plutzik, Mahler &  
12 Birkhaeuser (“Bramson, Plutzik”) should be appointed Liaison Counsel, and Defendants take no  
13 position on the appointment of lead and liaison counsel;

14           NOW, THEREFORE, the parties hereby agree and stipulate as follows:

15           1.       The cases described in this paragraph are referred to herein as the “Consolidated  
16 Actions.” The above-captioned shareholder derivative actions pending in this District are hereby  
17 consolidated pursuant to Rule 42(a) of the Federal Rules of Civil procedure for purposes  
18 including, but not limited to, discovery, pretrial proceedings and trial. Any other shareholder  
19 derivative action that is subsequently filed in or transferred to this Court that arises out of or is  
20 related to the same facts and claims alleged in the complaints in the any of the Consolidated  
21 Actions shall be immediately consolidated with the Consolidated Actions, except as specified  
22 herein.

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24           2.       A Master Docket is hereby established for the Consolidated Actions. The original  
25 of this order shall be filed by the Clerk in the Master File. The Clerk shall mail a copy of this  
26 Order to counsel of record in each of the Consolidated Actions. Entries in the Master Docket shall  
27 be applicable to the Consolidated Actions as more fully set forth below. The Clerk of the Court  
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1 shall file all pleadings in any of the actions in the Master File and shall note such filing in the  
2 Master Docket. No further copies need be filed or docket entries made. The terms of this Order  
3 shall not have the effect of making any person, firm or corporation a party to any action in which  
4 he, she or it has not been named, served or added as such in accordance with the Federal Rules of  
5 Civil Procedure.

6 3. If a shareholder derivative action related to the same subject matters as these  
7 Consolidated Actions is hereafter filed in this Court or transferred here from another Court, the  
8 Clerk of this Court shall:

- 9 • File a copy of this Order in the separate file for such action;
- 10 • Notify all counsel of record of the filing or transfer of such action;
- 11 • Make an appropriate entry in the Master Docket;
- 12 • Mail to counsel of record in the newly filed or transferred case a copy of this Order;  
and
- 13 • Upon the first appearance of any new defendants, mail to the attorneys for the  
14 defendants in such newly filed or transferred case a copy of this Order.

15 All counsel shall assist the Clerk of the Court by calling to the attention of the Clerk the  
16 filing or transfer of any case which might properly be consolidated with these Consolidated  
17 Actions.

18 This Order shall apply to each shareholder derivative action that is subsequently filed in or  
19 transferred to this Court, or consolidated with any of these actions, that arises out of or is related to  
20 the same facts and claims alleged in the complaints in the Consolidated Actions, unless a party  
21 objecting to the consolidation of such case or to any other provision of this Order shall, within ten  
22 (10) days after the date upon which a copy of this Order is mailed to counsel for such party, files  
23 an application for relief from this Order or any provision herein and this Court deems it  
24 appropriate to grant the application. The provisions of this Order shall apply to such action  
25 pending the Court's ruling on the application.  
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1 The defendants do not have to answer, move or otherwise respond to any complaints filed  
2 in any of the actions consolidated hereunder or any action subsequently filed and consolidated,  
3 except that defendants must answer or otherwise respond to the Consolidated Complaint to be  
4 filed by Co-Lead Counsel in this action or as otherwise ordered by the Court. Nothing in the  
5 foregoing shall be construed as a waiver of the defendants' right to object to consolidation of any  
6 subsequently-filed or transferred related action.

7 4. Every pleading filed in these Consolidated Actions shall bear the following caption:  
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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 IN RE JUNIPER NETWORKS, INC.  
14 SHAREHOLDER DERIVATIVE LITIGATION

15 Master File No. 11-CV-04792-LHK

16 This Document Relates To:

17 When a document is intended to be applicable to all actions to which this Order is  
18 applicable, the words "All Actions" shall appear immediately after the words "This Document  
19 Relates To" in the caption set forth above. When a document is intended to be applicable only to  
20 some, but not all, actions, immediately after the words "This Document Relates To:" in the  
21 caption described above, there shall appear "Civil Action No. [insert number] [insert name of  
22 Plaintiff]."

23  
24 5. Levi & Korsinsky and the Bain Firm are hereby appointed Co-Lead Counsel for  
25 plaintiffs in this action. Co-Lead Counsel are hereby vested by the Court with the following  
26 responsibilities and duties for plaintiffs in connection with this action:

27 a. To direct and coordinate the briefing and arguing of motions;  
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1           b. To direct and coordinate the initiation and conduct of discovery  
2 proceedings, including, but not limited to, requests for production of documents and/or  
3 third party subpoenas.

4           c. To direct and coordinate the examination of witnesses in depositions and  
5 oral interrogatories;

6           d. To act as spokesperson at pretrial conferences;

7           e. To call meetings of plaintiffs' counsel as appropriate or necessary from time  
8 to time;

9           f. To direct the preparation for a trial of this matter and to delegate work  
10 responsibilities to selected counsel as may be required in such a manner as to lead to the  
11 orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive  
12 effort.

13           g. To direct and coordinate the conduct of pre-trial, trial and post-trial  
14 proceedings;

15           h. To consult with and employ experts;

16           i. To coordinate and collect monthly time and expense reports from all  
17 plaintiffs' attorneys in this action;

18           j. To initiate and conduct all settlement negotiations with counsel for  
19 defendants; and

20           k. To perform such other duties as may be expressly authorized by further  
21 order of the Court.

22           No motion, request for discovery, or other pre-trial proceedings shall be initiated or filed  
23 by any plaintiff except through Co-Lead Counsel. Defendants' counsel may rely upon all  
24 agreements made with either Co-Lead Counsel, and such agreements shall be binding on all  
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1 plaintiffs in this action. Co-Lead Counsel are hereby designated as the counsel for plaintiffs upon  
2 whom all notices, orders, pleadings, motions, discovery, and memoranda may be served and  
3 defendants shall effect service of papers on plaintiffs by serving Co-Lead Counsel. If defendants  
4 file a single pleading or other paper directed to all plaintiffs in this action, the response on behalf  
5 of plaintiffs shall be made in a single pleading or other paper to be served by Co-Lead Counsel.  
6 All plaintiffs in this action shall be bound by that pleading or paper. The organizational structure  
7 established by this Order shall bind counsel for plaintiffs in this action or any subsequently filed  
8 cases consolidated therewith.

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10 6. Bramson, Plutzik is hereby appointed Liaison Counsel for plaintiffs in this action.  
11 Liaison Counsel will be available and responsible for communications to and from this Court,  
12 including distributing orders and other directions from the Court to counsel. Plaintiff's Liaison  
13 Counsel will be responsible for creating and maintaining a master service list of all parties and  
14 their respective counsel.

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16 7. Waiving only the defenses of insufficiency of process and insufficiency of service  
17 of process, the undersigned counsel, on behalf of each named Defendant, acknowledges service of  
18 the complaint in the Coppola action.

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20 8. The parties agree that defendants' Motion To Proceed In One Forum, made  
21 December 16, 2011 in the Ratinova Action shall be deemed as having been made in all of the  
22 Consolidated Actions.

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24 9. The Case Management Conference scheduled for March 27, 2012 in the Coppola  
25 Action is adjourned pending consolidation of the above-captioned actions. The parties to the  
26 Coppola Action need not file a separate Case Management Conference Statement.

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28 Dated: January 17, 2012

LEVI & KORSINKY, LLP

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By: /s/ Douglas E. Julie  
Doug Julie

*Attorneys for Plaintiffs Olga Ratinova and Lisa E. Coppola, IRA*

Dated: January 17, 2012

LAW OFFICES OF DAVID A. BAIN, LLC

By: /s/ David A. Bain  
David A. Bain

*Attorneys for Plaintiff Lisa E. Coppola, IRA*

Dated: January 17, 2012

BRAMSON, PLUTZIK, MAHLER &  
BIRKHAEUSER

By: s/ Alan R. Plutzik  
Alan R. Plutzik

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*Attorneys for Plaintiffs Olga Ratinova and Lisa E. Coppola, IRA*

Dated: January 17, 2012

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ Joni Ostler  
Joni Ostler

*Attorneys for Nominal Defendant Juniper Networks, Inc. and Defendants Kevin Johnson, Scott Kriens, Pradeep Sindhu, Robert M. Calderoni, Mary B. Cranston, John Michael Lawrie, Stratton Sclavos, William R. Stensrud, William Meehan, David Schlotterbeck, Mercedes Johnson and Robyn M. Denholm*

**ORDER**

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The above stipulation having been considered, and good cause appearing therefore,

IT IS SO ORDERED.

DATED: January 30, 2012

  
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THE HONORABLE LUCY H. KOH  
United States District Judge