

1 MILBERG, WEISS, BERSHAD
& SCHULMAN, LLP
2 JEFF S. WESTERMAN (SBN 94559)
KAREN T. ROGERS (SBN 185465)
3 355 South Grand Avenue, Suite 4170
Los Angeles, California 90071
4 Telephone: (213) 617-1200
Facsimile: (213) 617-1975

5 Attorneys for Plaintiffs
6
7

8 UNITED STATE DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 REBECCA FRENCH, Individually and On) Case No. C-05-03030 SBA
Behalf of All Others Similarly Situated,)
12)
Plaintiff,)

13)
14 vs.)

15 DITECH COMMUNICATIONS CORP.,)
16 TIMOTHY K. MONTGOMERY, and)
WILLIAM J. TAMBLYN,)
17 Defendants.)

18)
19 In re DITECH COMMUNICATIONS CORP.) Master File No. C-05-02406 JSW
SECURITIES LITIGATION..)

20) CLASS ACTION

21) NOTICE OF RELATED CASE PURSUANT
22) TO LOCAL RULE 3-12
23)

23 This Document Relates To:)

24 ALL ACTIONS)
25)

1 TO THE COURT AND TO ALL COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that the following additional action is pending before this Court
 3 which, pursuant to Rule 3-12 of the Local Rules of the United States District Court of the Northern
 4 District of California, is related to this action:

<u>Case Name</u>	<u>Civ. No.</u>	<u>Filing Date</u>	<u>Judge</u>
French v. Ditech Communications Corp., et al.	C 05-03030	07/05/05	Brown-Armstrong

8
 9 Local Rule 3-12 of the United States District Court for the Northern District of California
 10 provides that a Notice of Related Case shall be filed and served on all parties who have appeared stating
 11 whether any action pending in the Northern District of California and the action being filed concern the
 12 same parties, property, transaction, event or question of law, and when it appears likely that there will
 13 be an unduly burdensome duplication of labor and expense or conflicting results if the case are
 14 conducted before different judges.

15 The above case involves substantially identical factual allegations, causes of action and
 16 defendants as does this action.

17 Because this action arises from the same transactions, happenings or events, calls for
 18 determinations of the same questions of law and/or fact and is likely to entail substantial duplication of
 19 labor if heard by a different judge, it is related within the meaning of Local Rule 3-12.

20 WHEREFORE, plaintiff requests:

1. That this action *Rebecca French v. Ditech Communications Corp., et al* (“*French*”) be assigned to the Honorable Jeffrey S. White, the Judge assigned to the low-numbered action CV-05-02406 JSW;

1 2. That all subsequent related actions be assigned to the Honorable Jeffrey S. White; and

2 3. That all dates currently on calendar in the *French* action be vacated, including the Case

3 Management Conference currently scheduled for January 18, 2006 at 3:30 p.m.

4 DATED: January 12, 2006

MILBERG WEISS BERSHAD
& SCHULMAN LLP
JEFF WESTERMAN
KAREN T. ROGERS

6

7

/s/ KAREN T. ROGERS

8

KAREN T. ROGERS

9

355 South Grand Avenue, Suite 4170
Los Angeles, CA 90071
Telephone: (213) 617-1200
Facsimile: (213) 617-1975

10

11

-and-

12

STEVEN G. SCHULMAN
PETER E. SEIDMAN
SHARON M. LEE
One Pennsylvania Plaza
New York, New York 10119
Telephone: (212) 594-5300
Facsimile: (212) 868-1229

13

14

15

16

Proposed Lead Counsel

17

LAW OFFICES OF BRUCE G. MURPHY
BRUCE G. MURPHY
265 Llwyds Lane
Vero Beach, FL 32963
Telephone: (772) 231-4202

18

19

20

Counsel for Plaintiff

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 355 South Grand Avenue, Suite 4170, Los Angeles, California 90071.

2. That on January 12, 2006, declarant served the NOTICE OF RELATED CASES PURSUANT TO LOCAL RULE 3-12 by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th day of January, 2006, at Los Angeles, California.

/s/ ShaRon Anthony
SHARON ANTHONY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In re Ditech Communications Corp. Sec. Litig.
SERVICE LIST

Counsel for Plaintiffs:

Bruce G. Murphy
LAW OFFICES OF BRUCE G. MURPHY
265 Llwyds Lane
Vero Beach, FL 32963
Telephone: (772) 231-4202
Facsimile:

Marc A. Topaz
Richard A. Maniskas
SCHIFFRIN & BARROWAY LLP
280 King of Prussia Rd.
Radnor, PA 19087
Telephone: (610) 667-7706
Facsimile: (610) 667-7056

Robert I. Harwood
Daniella Quitt
Joshua D. Glatte
WECHSLER HARWOOD LLP
488 Madison Avenue, 8th Floor
New York, NY 10022
Telephone: (212) 935-7400
Facsimile: (212) 753-3630

Christopher T. Heffelfinger
BERMAN DEVALERIO PEASE TABACCO
BURT & PUCILLO
425 California Street, Suite 2100
San Francisco, CA 94104-2205
Telephone: (415) 433-3200
Facsimile: (415) 433-6382

William S. Freeman
COOLEY GODWARD LLP
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Telephone: (650) 843-5000
Facsimile: (650) 849-7400

Robert S. Green
GREEN WELLING LLP
595 Market Street, Suite 2750
San Francisco, CA 94105
Telephone: (415) 477-6700
Facsimile: (415) 477.6710

Robert C. Schubert
Juden Justice Reed
Willem F. Jonckheer
SCHUBERT & REED LLP
Two Embarcadero Center, Suite 1660
San Francisco, CA 94111
Telephone: (415) 788-4220
Facsimile: (415) 788-0161

Charles J. Piven
LAW OFFICES OF CHARLES J. PIVEN
401 East Pratt Street, Suite 2525
Baltimore, ND 21202
Telephone: (410) 332-0030
Facsimile: (410) 685-1300

Steven J. Toll
Daniel S. Sommers
Jason M. Leviton
COHEN, MILSTEIN, HAUSFELD
& TOLL, P.L.L.C.
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, D.C. 20005
Telephone: (202) 408-4600
Facsimile: (202) 408-4699