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United States District Court
For the Northern District of California

E-FILED on 3/19/08

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

In re MARVELL TECHNOLOGY GROUP
LTD. DERIVATIVE LITIGATION

No. C-06-03894 RMW

This Documents Relates To:

ORDER DENYING WITHOUT PREJUDICE
DEFENDANT'S MOTION TO DISMISS

All Actions


[Re Docket No. 31]

Defendant Marvell Technology Group Ltd. ("Marvell") filed a motion to dismiss the complaint for lack of standing on January 16, 2007. Docket No. 31. Since that motion was filed, the parties have stipulated numerous times to continue the briefing schedule and hearing dates on the motion to dismiss. As a result of the parties' stipulations, the motion has still not been heard or even fully briefed.

On January 18, 2008, the parties filed a request that the court stay the proceedings following a mediation conducted by United States District Court Judge Layn Phillips (Ret.), which request the court granted on January 25, 2008. On March 6, 2008, the parties submitted a joint statement on the progress of settlement negotiations between them. The joint statement included a request to continue the stay of the proceedings in light of the fact that they have recently signed a memorandum of understanding memorializing an agreement to resolve this matter.

1 In light of the status of the case, the court hereby denies Marvell's motion to dismiss without
2 prejudice. Marvell may re-file its motion at a later date, if necessary.

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4 DATED: 3/18/08


RONALD M. WHYTE
United States District Judge

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1 **Notice of this document has been electronically sent to:**

2 **Counsel for Plaintiff:**

3	Darren J. Robbins	
	Travis E. Downs, III	travisd@lerachlaw.com
4	William S. Lerach	e_file_sf@lerachlaw.com
	Edmund Wilson Searby	esearby@mcdonaldhopkins.com
5	Walter W. Noss	w noss@scott-scott.com
	Arthur L. Shingler, III	ashingler@scott-scott.com
6	David R. Scott	drscott@scott-scott.com
	Denise V. Zamore	dzamore@scott-scott.com
7	Avin P. Sharma	aps@classcounsel.com
	Robert S. Green	RSG@CLASSCOUNSEL.COM
8	William B. Federman	wfederman@aol.com

9 **Counsel for Defendants:**

10	Bruce A. Ericson	bruce.ericson@pillsburylaw.com
	Andrew D. Lanphere	alanphere@pillsburywinthrop.com

11
12 Counsel are responsible for distributing copies of this document to co-counsel that have not
13 registered for e-filing under the court's CM/ECF program.

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16 **Dated:** 3/19/08

/s/ MAG
Chambers of Judge Whyte

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