

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

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALLAN QUERY, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

MAXIM INTEGRATED PRODUCTS,
INC., JOHN F. GIFFORD and CARL W.
JASPAR,

Defendants.

CASE NO. C08-00832 PVT

CLASS ACTION

**[PROPOSED] ORDER GRANTING
MOTION BY RICK T. BURNINGHAM FOR
APPOINTMENT OF LEAD PLAINTIFF
AND LEAD COUNSEL PURSUANT TO
SECTION 21D OF THE SECURITIES
EXCHANGE ACT OF 1934**

DATE: May 13, 2008
TIME: 10:00 a.m.
JUDGE: Honorable Patricia V. Trumbull
CTRM: 5, 4th Floor

1 This Court, having considered the motion by Rick T. Burningham for Appointment of Lead
2 Plaintiff and Lead Counsel Pursuant to Section 21D of the Securities Exchange Act of 1934 (the
3 “Motion”), for good cause shown, hereby orders as follows:

- 4 1. Pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C.
5 §78u-4(a)(3)(B), Rick T. Burningham is appointed Lead Plaintiff for the Class.
- 6 2. Lead Plaintiff’s selection of counsel is approved. Pursuant to §21D(a)(3)(B)(V), the
7 law firm of Stull, Stull & Brody is appointed Lead Counsel for the class.
- 8 3. Lead Counsel is vested by the Court with the following responsibilities and duties:
 - 9 a. To coordinate the preparation and filing of an Amended Complaint, and any
10 subsequent pleadings;
 - 11 b. To coordinate the briefing and argument of all motions;
 - 12 c. To coordinate and conduct all discovery, pre-trial and trial proceedings for
13 plaintiffs;
 - 14 d. To call meetings of plaintiffs’ counsel as they deem appropriate or necessary
15 from time to time;
 - 16 e. To initiate and conduct all settlement negotiations for plaintiffs with counsel
17 for defendants;
 - 18 f. To provide general coordination of activities of counsel on their side and to
19 delegate work responsibilities to selected counsel as may be required; and
 - 20 g. To perform such other duties as may be expressly authorized by further order
21 of the Court.
- 22 4. Lead Counsel shall make all work assignments in such a manner as to conduct the
23 orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.
- 24 5. Defendants’ counsel may rely upon all agreements made with Lead Counsel and
25 such agreements shall be binding on all plaintiffs.

26
27
28

1 6. No motion, request for discovery, or other pretrial proceeding shall be initiated or
2 served by any plaintiff except through Lead Counsel.

3

4 DATED: _____

HONORABLE PATRICIA V. TRUMBULL
MAGISTRATE JUDGE

5

6

7 Submitted By:

8 Timothy J. Burke
9 service@ssbla.com
10 STULL, STULL & BRODY
10940 Wilshire Boulevard
11 Suite 2300
Los Angeles, CA 90024
11 Tel: (310) 209-2468
Fax: (310) 209-2087

12

13 Jules Brody
13 Aaron L. Brody
14 SSBNY@aol.com
STULL, STULL & BRODY
6 East 45th Street
15 New York, NY 10017
15 Tel: (212) 687-7230
16 Fax: (212) 490-2022

17 Proposed Lead Counsel for Plaintiffs

18

19

20

21

22

23

24

25

26

27

28