



LegalMetric Individual Judge Report
Judge William Haskell Alsup
Securities Cases
August 1999 to March 2016

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The information contained in this report is obtained from the official docket records of the federal courts. No attempt has been made to correct that data. For example, cases may be misclassified in the official docket records. In addition, cases are classified only by the primary cause of action. Cases having multiple causes of action are analyzed only under the primary cause of action identified on the official court docket.

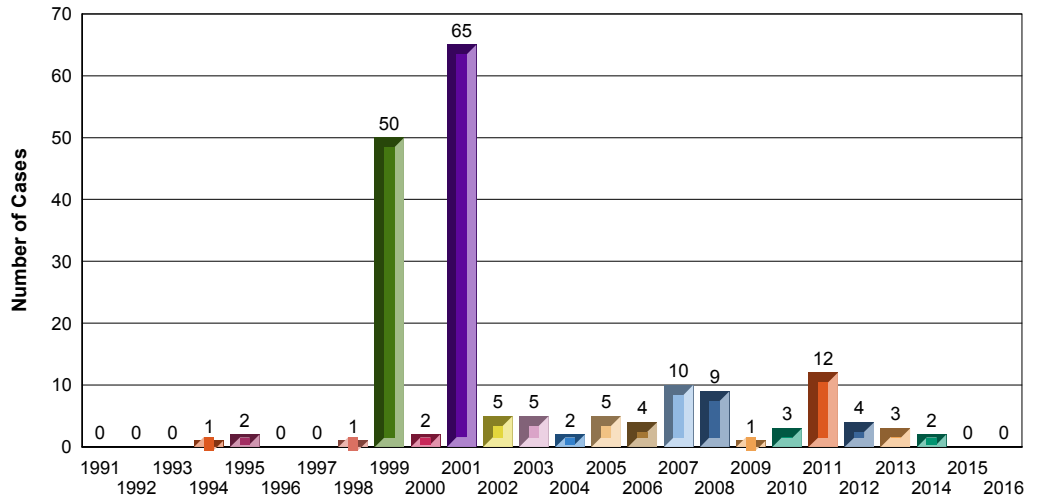
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Overview:

Total Cases and Judgments

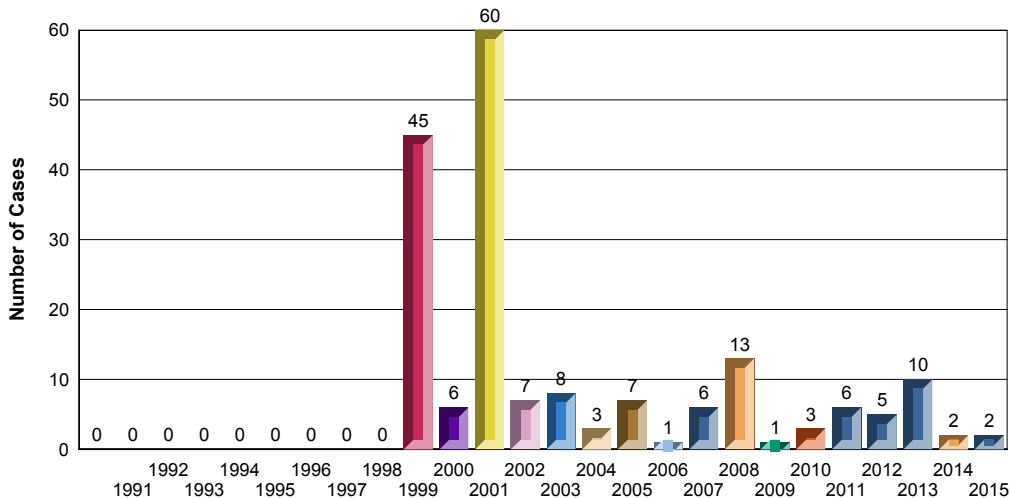
Judge Alsup was appointed to the bench on August 17, 1999. Since then this judge has been assigned 186 securities cases. Of these, 185 cases have been terminated. There have been judgments in favor of a party (includes consent and default judgments) in 32 case(s). The plaintiff prevailed in 81.3% of these cases (while the defendant prevailed in 18.8% of these cases).

Number of Cases Filed, by Year



The number of securities cases assigned to Judge Alsup by year is shown in the chart to the right. Note that this includes cases filed in previous years and reassigned to this judge, where applicable.

Number of Cases Decided, by Year

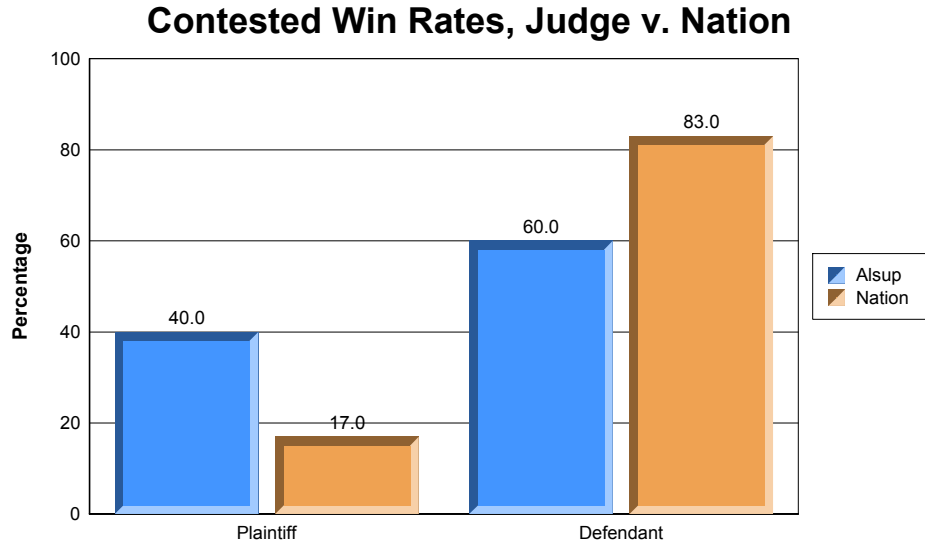


The number of securities cases decided by Judge Alsup by year is shown in the chart to the left. This can include cases decided earlier which are subsequently assigned to this judge for post-decision rulings.

Overview:

Contested Judgments

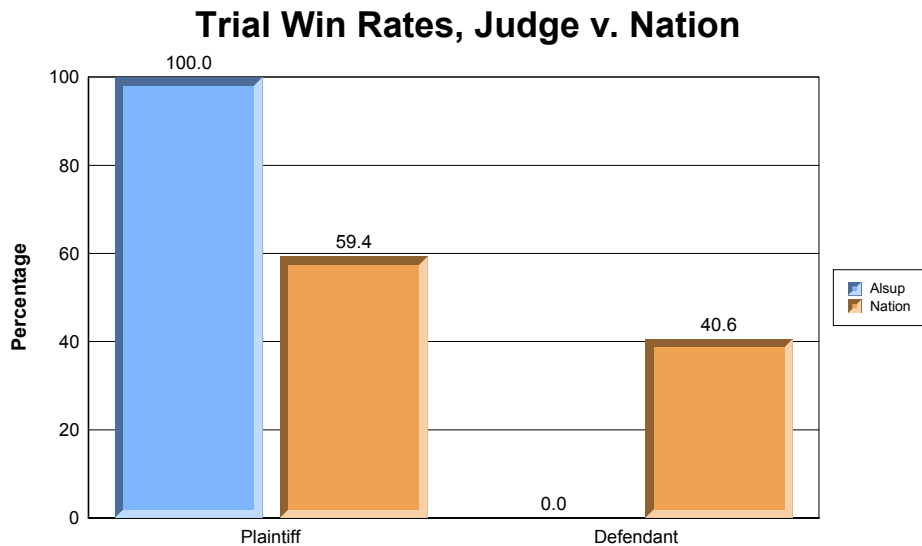
There have been 10 contested judgments in these cases (does not include consent and default judgments). The plaintiff prevailed in 40.0% of these cases, while the defendant prevailed in 60.0% of these cases. These figures are compared to the corresponding nationwide numbers below.



Overview:

Trials

There have been 1 terminations by trial in these cases (includes both bench and jury trials). The plaintiff prevailed in 100.0% of these case, while the defendant prevailed in 0.0% of these cases. Trials on which judgment has not been entered are not included in these figures. These figures are compared to the corresponding nationwide numbers below.

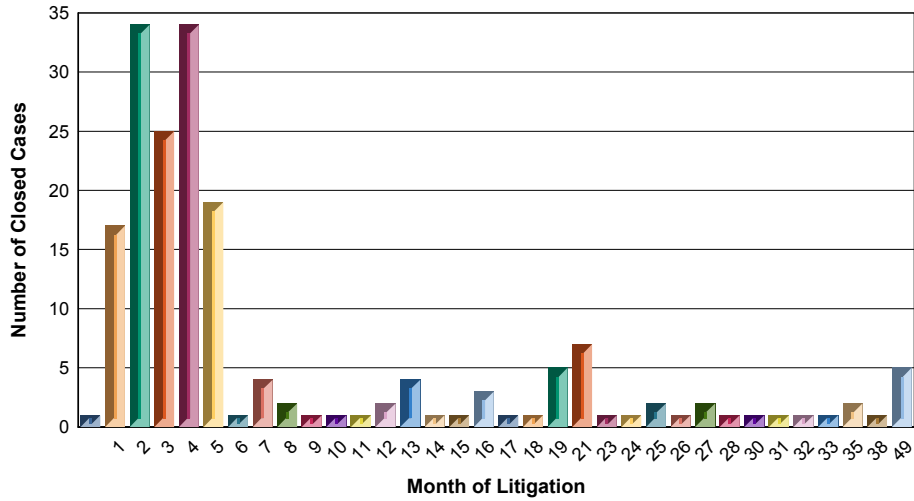


Overview:

Time to Disposition-All Cases

The average time from case filing to case disposition by Judge Alsup is 8.5 months. The distribution of case terminations by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

Distribution of All Closed Cases

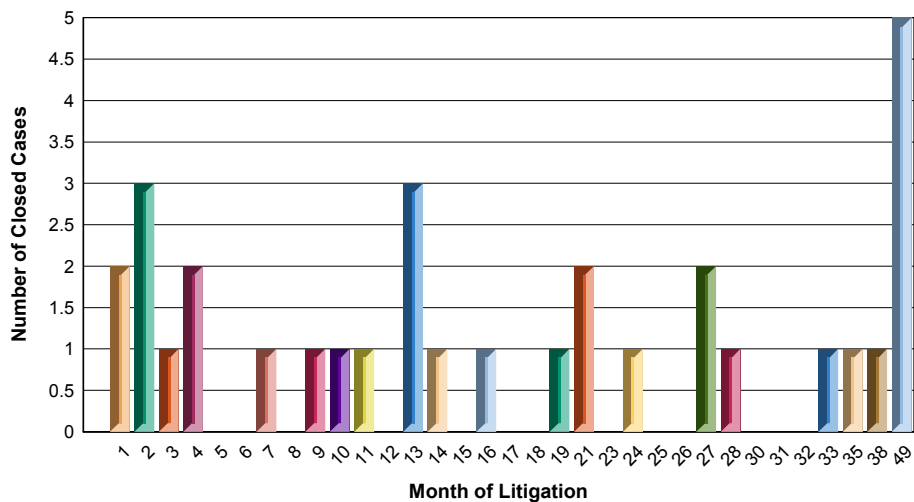


Overview:

Time to Disposition-Cases with Judgments

The average time from case filing to case disposition by judgment in favor of a party (includes consent and default judgments) in these cases is 22.2 months. The distribution of judgments by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

Distribution of Cases Closed by Judgment

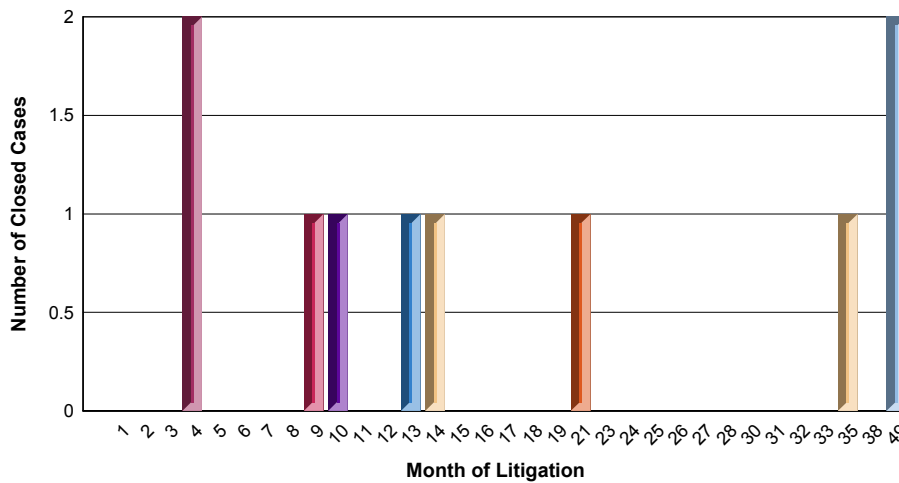


Overview:

Time to Disposition-Contested Judgments

The average time from case filing to case disposition by contested judgment (does NOT include consent and default judgments) in these cases is 22.0 months. The distribution of judgments by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

Distribution of Cases Closed by Contested Judgment

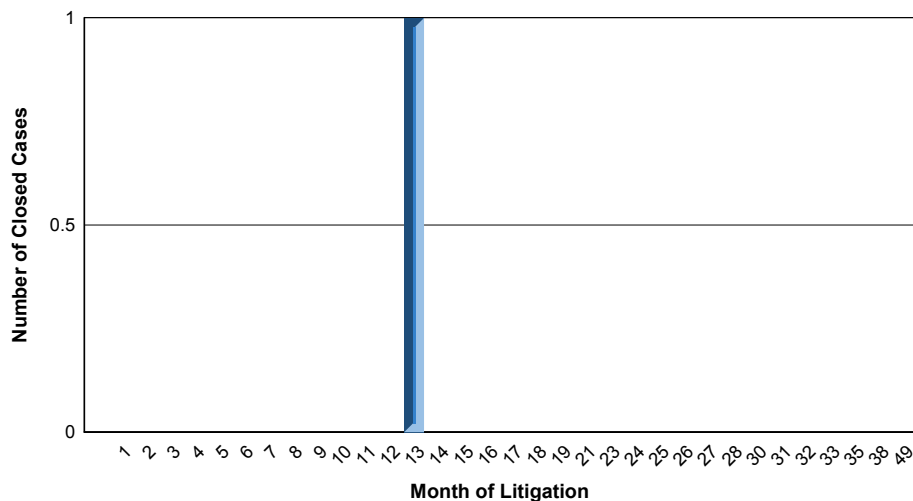


Overview:

Time to Disposition-Trials

The average time from case filing to case disposition by trial (includes bench and jury trials) in these cases is 12.8 months. The distribution of judgments by month of litigation is shown below for the first 48 months of litigation. Cases still open at the end of 48 months, if any, are all lumped into month "49". Months with no closed cases are omitted from the chart.

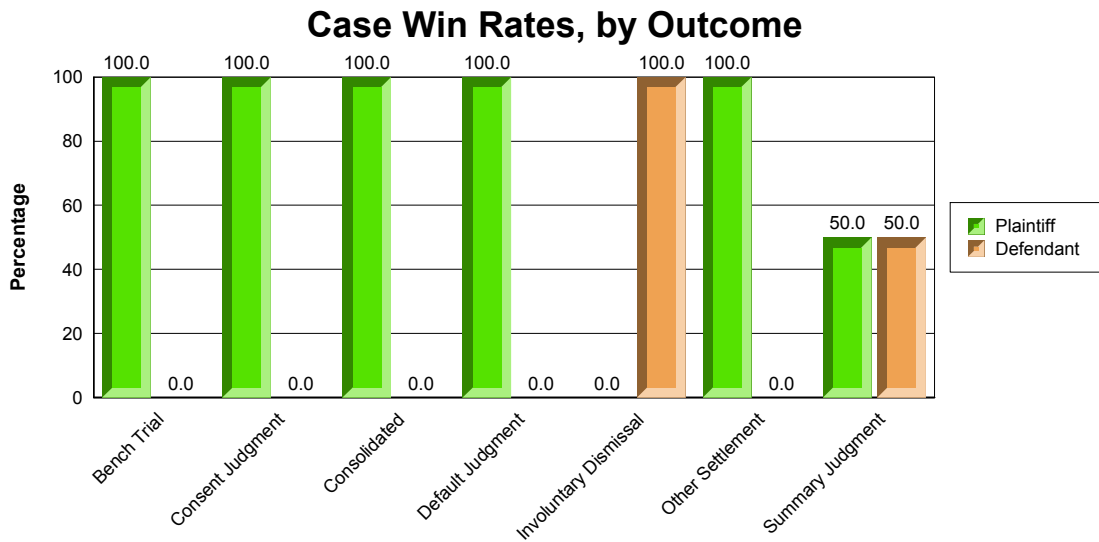
Distribution of Cases Closed by Trial



Case Outcomes with Judgments:

The win rates for plaintiffs and defendants by various outcomes are shown below. Details for each outcome are set forth in the following sections of the report.

	Plaintiff Win Rate	Defendant
Total	81.3	18.8
Bench Trial	100.0	0.0
Consent Judgment	100.0	0.0
Consolidated	100.0	0.0
Default Judgment	100.0	0.0
Involuntary Dismissal	0.0	100.0
Other Settlement	100.0	0.0
Summary Judgment	50.0	50.0

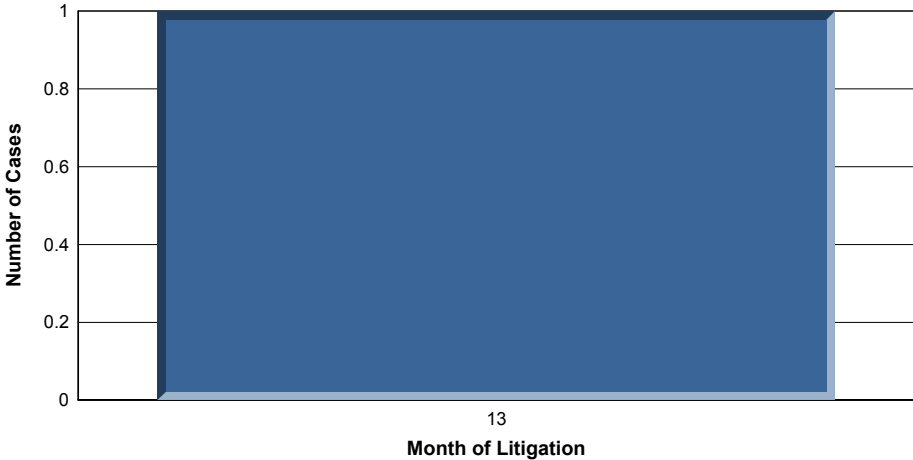


Bench Trial

There was/were 1 case(s) terminated by Bench Trial. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 12.8. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

Distribution of Outcomes by Month

For Bench Trial



The supporting data is shown below.

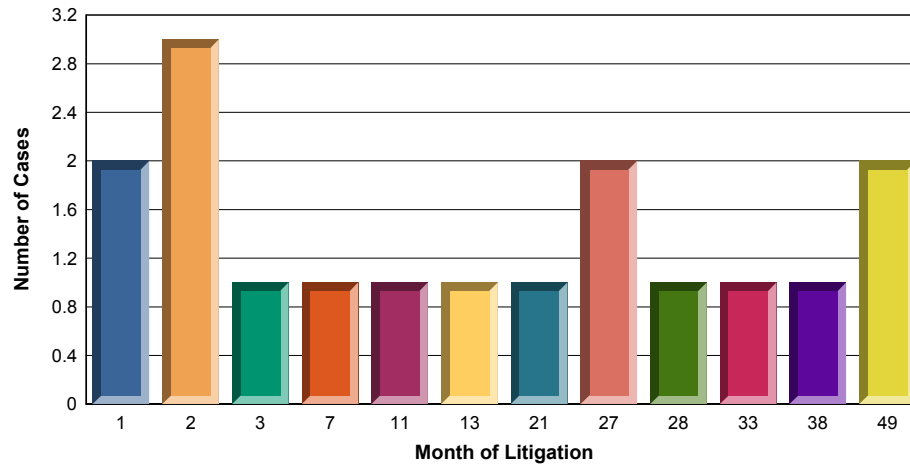
Case Name	Case Number	Outcome	Prevailing Party	Pendency
Securities And Exchange Commission v. The Rose Fund, LLC et al	3:03cv04593	Bench Trial	Plaintiff	12.8

Consent Judgment

There was/were 17 case(s) terminated by Consent Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 21.2. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

Distribution of Outcomes by Month

For Consent Judgment



The supporting data is shown below.

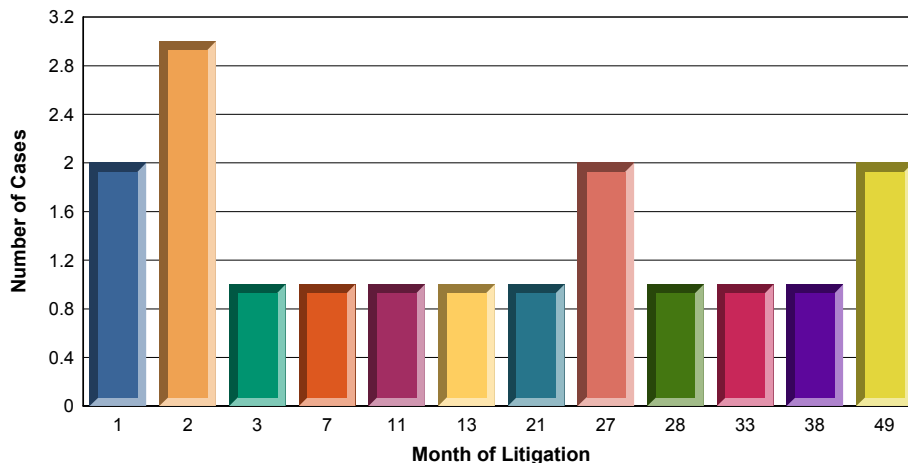
Case Name	Case Number	Outcome	Prevailing Party	Pendency
Securities And Exchange Commission v. McCall	3:03cv02603	Consent Judgment	Plaintiff	83.4
Securities and Exchange Commission v. Trabulse et al	3:07cv04975	Consent Judgment	Plaintiff	6.4
In re LDK Solar Securities Litigation	3:07cv05182	Consent Judgment	Plaintiff	32.4
Securities and Exchange Commission v. Marks	3:12cv04486	Consent Judgment	Plaintiff	1.9
In re Charles Schwab Corp. Securities Litigation	3:08cv01510	Consent Judgment	Plaintiff	37.0
Securities And Exchange Commission v. Mercury Interactive LLC et al	3:07cv02822	Consent Judgment	Plaintiff	69.6
Securities And Exchange Commission v. Neil	3:14cv00122	Consent Judgment	Plaintiff	12.8
Tuttle et al v. Sky Bell Asset Management LLC et al	3:10cv03588	Consent Judgment	Plaintiff	26.8
Securities And Exchange Commission v. Diamond Foods, Inc.	3:14cv00123	Consent Judgment	Plaintiff	0.4
Securities And Exchange Commission v. Pillor	3:06cv04906	Consent Judgment	Plaintiff	1.2
Securities and Exchange Commission v. McClellan et al	3:10cv05412	Consent Judgment	Plaintiff	10.8
SEC v. Mesplou	3:01cv01243	Consent Judgment	Plaintiff	2.3
Securities And Exchange Commission v. Charles Schwab Investment Management Inc. et al	3:11cv00136	Consent Judgment	Plaintiff	1.2

Consent Judgment

There was/were 17 case(s) terminated by Consent Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 21.2. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

Distribution of Outcomes by Month

For Consent Judgment

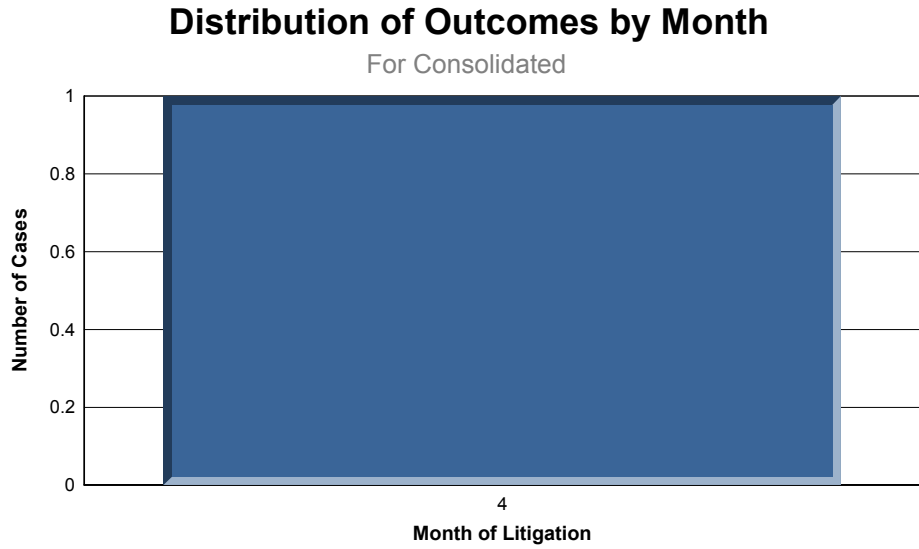


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
Securities And Exchange Commission v. Goldfarb et al	3:11cv00938	Consent Judgment	Plaintiff	0.5
Hertzfeld et al v. Transmeta Corporation et al	3:01cv02450	Consent Judgment	Plaintiff	20.6
SEC v. Tang, et al	3:98cv03739	Consent Judgment	Plaintiff	27.4
Salhuana v. Diamond Foods, Inc. et al	3:11cv05386	Consent Judgment	Plaintiff	26.5

Consolidated

There was/were 1 case(s) terminated by Consolidated. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 3.5. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

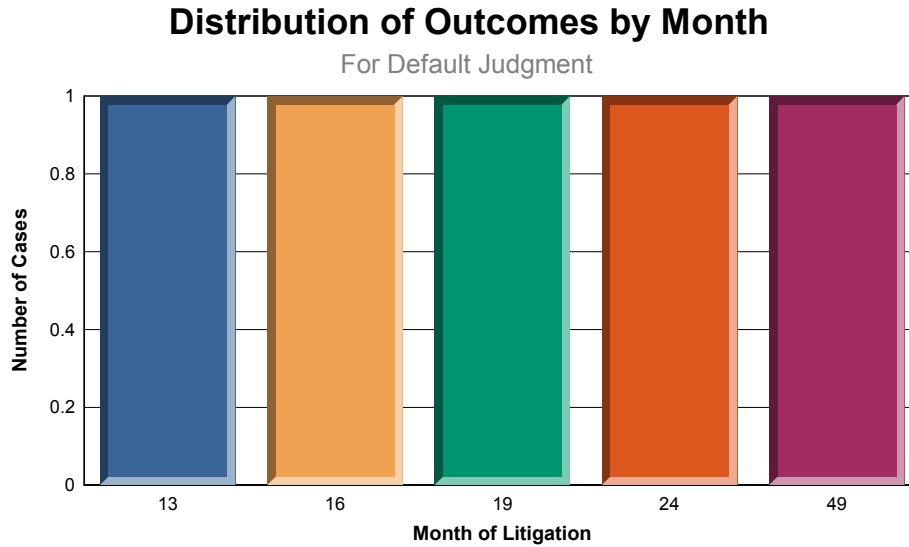


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
In re Sipex Corporation Securities Litigation	3:05cv00392	Consolidated	Plaintiff	3.5

Default Judgment

There was/were 5 case(s) terminated by Default Judgment. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 26.0. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

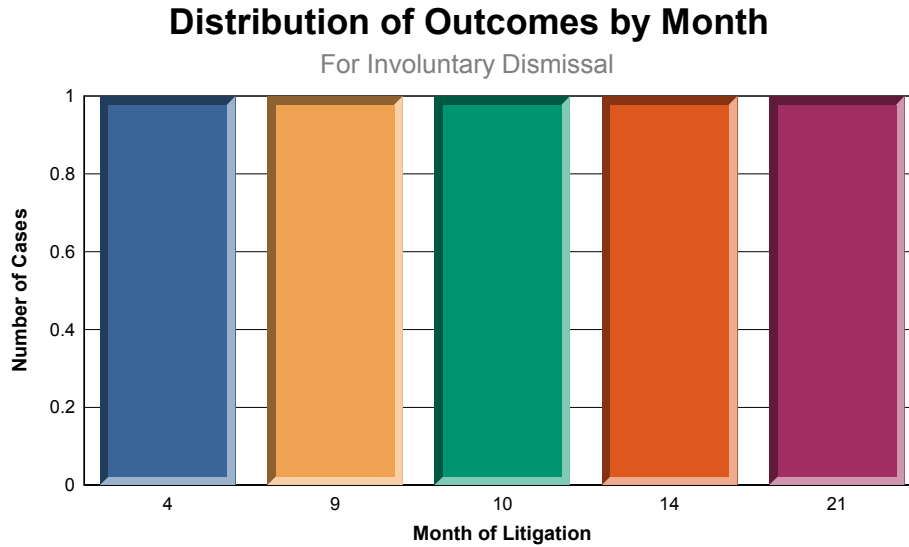


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
Securities and Exchange Commission v. Tri-West Investment Club et al	3:01cv03386	Default Judgment	Plaintiff	15.4
Wright et al v. Bloom et al	3:12cv00746	Default Judgment	Plaintiff	18.2
Securities And Exchange Commission v. Hilsenrath et al	3:03cv03252	Default Judgment	Plaintiff	23.3
Securities and Exchange Commission v. Lion Capital Mangement, LLC et al	3:12cv05116	Default Judgment	Plaintiff	12.9
Bancur, et al v. Hickey, et al	3:95cv02145	Default Judgment	Plaintiff	60.1

Involuntary Dismissal

There was/were 5 case(s) terminated by Involuntary Dismissal. The plaintiff win rate was 0.0% and the defendant win rate was 100.0%. The average time to case termination in months from case filing was 10.9. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

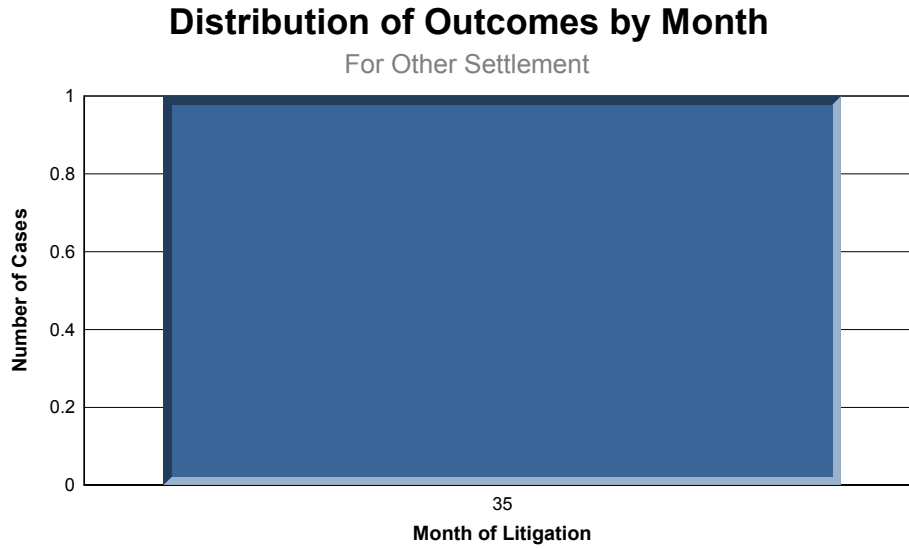


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
In Re: DNAP Sec. Lit, et al v. , et al	3:99cv00048	Involuntary Dismissal	Defendant	20.4
Brooks v. Washington Mutual, Inc. et al	3:12cv00765	Involuntary Dismissal	Defendant	9.1
McGlamry v. Transmeta Corporation, et al	3:04cv02475	Involuntary Dismissal	Defendant	13.1
Hsu v. UBS Financial Services, Inc.	3:11cv02076	Involuntary Dismissal	Defendant	3.3
Clayton et al v. Landsing Pacific Fund Inc. et al	3:01cv03110	Involuntary Dismissal	Defendant	8.8

Other Settlement

There was/were 1 case(s) terminated by Other Settlement. The plaintiff win rate was 100.0% and the defendant win rate was 0.0%. The average time to case termination in months from case filing was 34.9. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

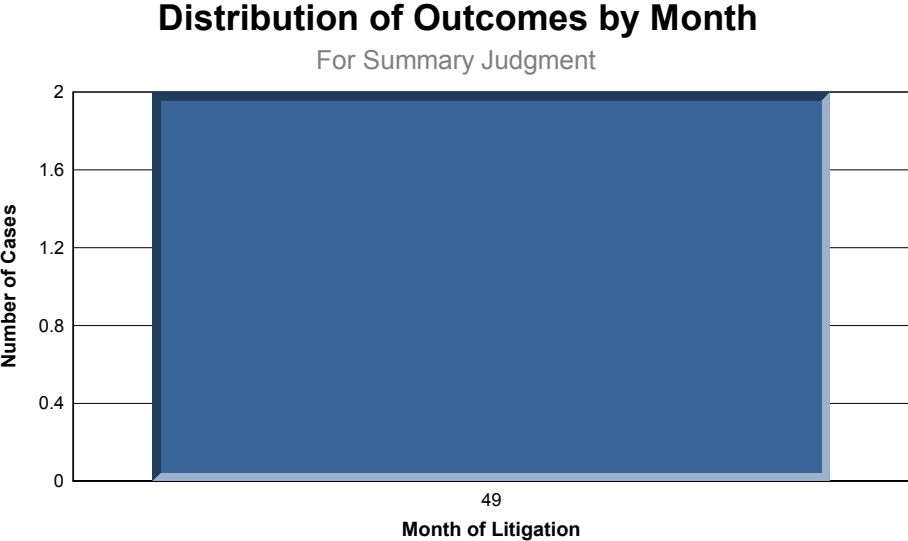


The supporting data is shown below.

Case Name	Case Number	Outcome	Prevailing Party	Pendency
Atwood, et al v. Malaga, et al	3:01cv01473	Other Settlement	Plaintiff	34.9

Summary Judgment

There was/were 2 case(s) terminated by Summary Judgment. The plaintiff win rate was 50.0% and the defendant win rate was 50.0%. The average time to case termination in months from case filing was 56.9. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".



The supporting data is shown below.

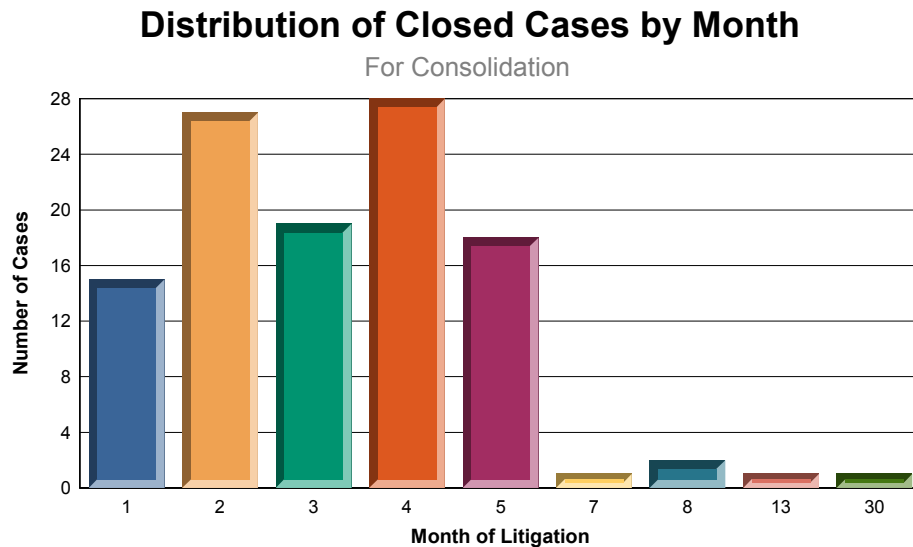
Case Name	Case Number	Outcome	Prevailing Party	Pendency
SEC v. Hickey, et al	3:94cv03336	Summary Judgment	Plaintiff	65.0
Lubin v. Hoffman, et al	3:95cv01144	Summary Judgment	Defendant	48.8

Case Outcomes with No Judgments in Favor of a Party:

The cases terminated without a judgment in favor of a party are identified below, including the distribution of those outcomes by month of litigation.

Consolidation

There was/were 112 case(s) terminated by Consolidation. The average time to case termination in months from case filing was 3.0. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

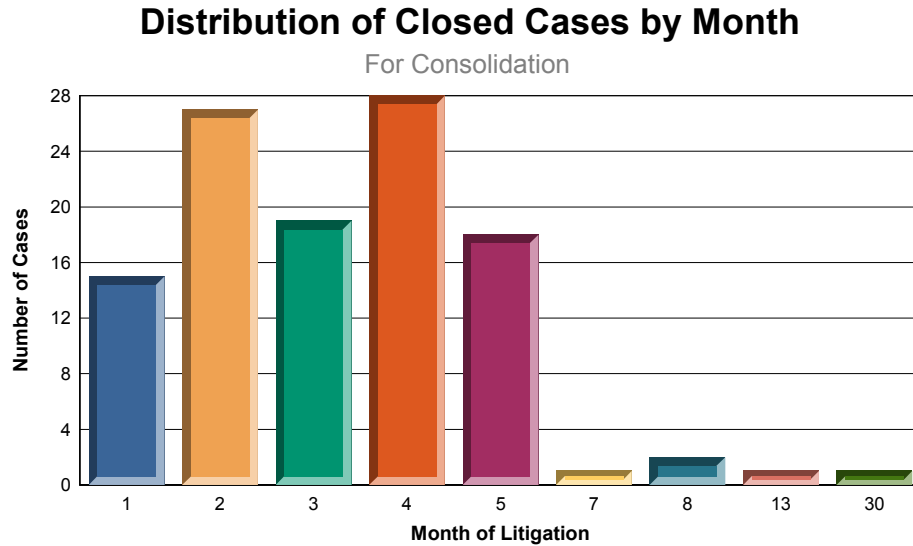


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Sternheim v. Critical Path, Inc., et al	3:01cv00552	Consolidation	3.4
Wolfson, et al v. Critical Path Inc., et al	3:01cv00553	Consolidation	3.4
Thompson v. Critical Path Inc, et al	3:01cv00554	Consolidation	3.4
Kessler v. Critical Path Inc., et al	3:01cv00555	Consolidation	3.4
Reynolds, et al v. Critical Path Inc, et al	3:01cv00565	Consolidation	3.4
Albstein v. Critical Path, Inc., et al	3:01cv00572	Consolidation	3.3
Almadotter v. Critical Path, Inc., et al	3:01cv00579	Consolidation	3.3
Deskins, et al v. Critical Path, Inc., et al	3:01cv00587	Consolidation	3.3
Booth v. Critical Path, Inc., et al	3:01cv00593	Consolidation	3.3
Rapoport v. Critical Path Inc., et al	3:01cv00594	Consolidation	3.3
Chan v. Critical Path, Inc., et al	3:01cv00595	Consolidation	3.3
Nguyen v. Critical Path, Inc., et al	3:01cv00596	Consolidation	3.3
Fikejs, et al v. Critical Path Inc, et al	3:01cv00597	Consolidation	3.3

Consolidation

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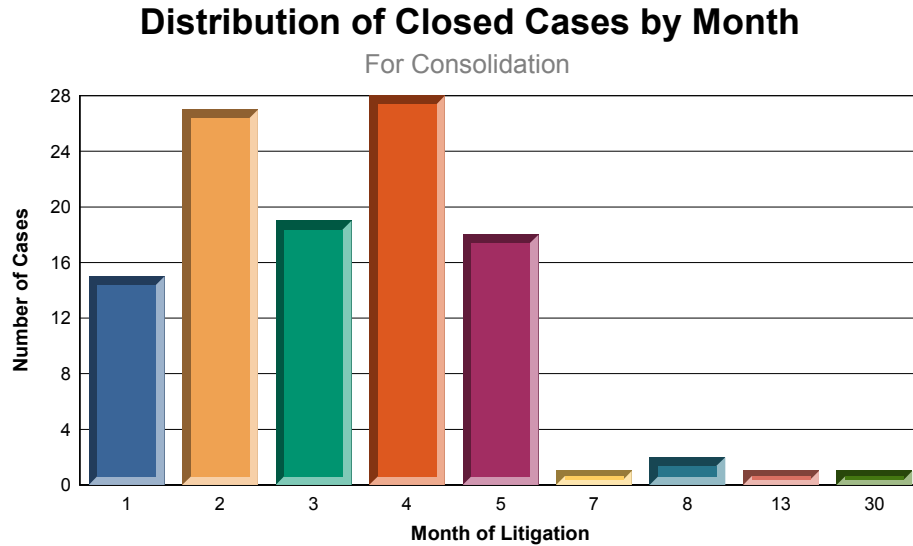


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Cleveland v. Critical Path Inc, et al	3:01cv00600	Consolidation	3.3
Wilson v. Critical Path Inc., et al	3:01cv00605	Consolidation	3.3
Krasner v. Critical Path Inc., et al	3:01cv00620	Consolidation	3.2
Ginsberg v. Critical Path Inc., et al	3:01cv00654	Consolidation	3.1
Bonner v. Critical Path, Inc., et al	3:01cv00657	Consolidation	3.1
Totino v. Critical Path Inc., et al	3:01cv00671	Consolidation	3.1
Jones, et al v. Critical Path Inc, et al	3:01cv00697	Consolidation	3.0
Grant v. Critical Path Inc, et al	3:01cv00729	Consolidation	3.0
Chung v. Critical Path Inc, et al	3:01cv00832	Consolidation	2.6
Ron v. Commtouch Software, et al	3:01cv00863	Consolidation	2.8
Roshgadol v. Critical Path Inc, et al	3:01cv00893	Consolidation	2.5
Mogelson v. Commtouch Software, et al	3:01cv00896	Consolidation	1.6
Norby v. Commtouch Software, et al	3:01cv00903	Consolidation	1.6
Callender v. Critical Path Inc., et al	3:01cv00934	Consolidation	1.0
Warner v. Critical Path, Inc., et al	3:01cv00935	Consolidation	1.0
Anderson, et al v. Critical Path Inc, et al	3:01cv00936	Consolidation	0.9
McCallister v. Commtouch Software, et al	3:01cv00955	Consolidation	1.4
Carr, et al v. Glinsky, et al	3:01cv01003	Consolidation	1.8

Consolidation

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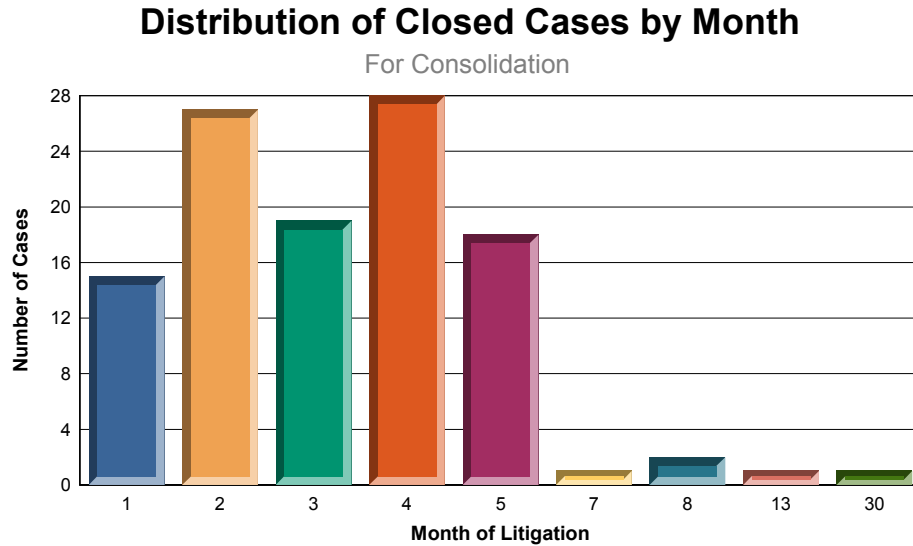


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Turn v. Commtouch Software, et al	3:01cv01005	Consolidation	1.3
Mitchell v. Critical Path, Inc., et al	3:01cv01007	Consolidation	2.3
Chen v. Commtouch Software, et al	3:01cv01094	Consolidation	1.1
Weingarten v. Glinsky, et al	3:01cv01257	Consolidation	1.2
Thomson-CSF Ventures et al v. Critical Path, Inc. et al	3:01cv01308	Consolidation	2.9
D & D Partnership, LLC v. Critical Path, Inc. et al	3:01cv01309	Consolidation	1.7
Minnesota Bakers Union Pension Fund et al v. Critical Path Inc. et al	3:01cv01313	Consolidation	2.9
Blumenthal, et al v. Glinsky, et al	3:01cv01474	Consolidation	2.4
Wachter v. Commtouch Software, et al	3:01cv01482	Consolidation	1.7
Tate v. Glinsky, et al	3:01cv01744	Consolidation	2.1
Columbus Capital Partners, L.P. v. Critical Path, Inc., et al	3:01cv02405	Consolidation	1.9
Pond Equities v. Transmeta Corporation et al	3:01cv02463	Consolidation	3.3
Puente v. Transmeta Corporation et al	3:01cv02464	Consolidation	3.3
McCarvill v. Transmeta Corporation et al	3:01cv02534	Consolidation	3.4
Koroluk v. Transmeta Corporation et al	3:01cv02587	Consolidation	3.0
B. Keith Dunnavant v. Transmeta et al	3:01cv02960	Consolidation	2.8
Koplin v. Transmeta Corporation et al	3:01cv03219	Consolidation	1.7

Consolidation

There was/were 112 case(s) terminated by Consolidation. The average time to case termination in months from case filing was 3.0. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

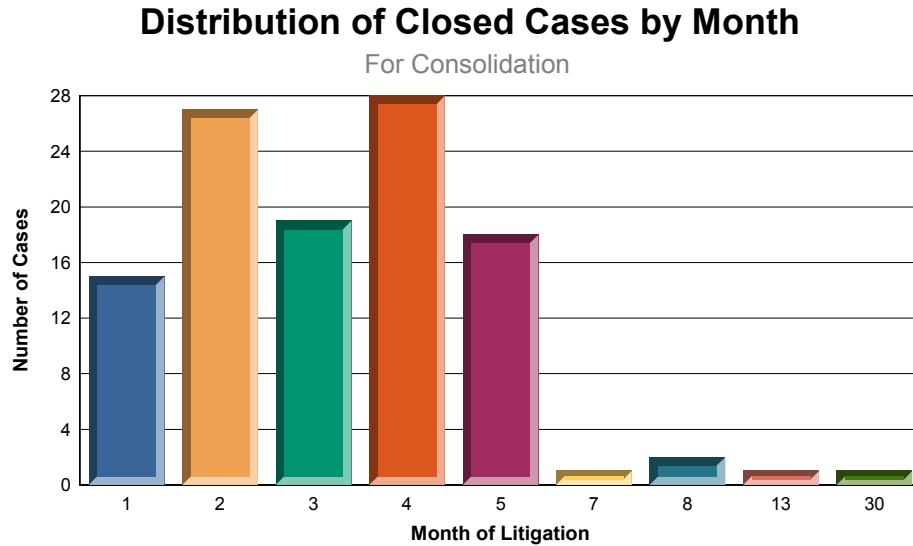


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Gammino v. Transmeta Corporation et al	3:01cv03262	Consolidation	2.8
LaFleur v. Transmeta Corporation et al	3:01cv03263	Consolidation	2.7
Bernstein et al v. Transmeta Corporation et al	3:01cv03264	Consolidation	2.4
Shekleton v. Transmeta Corporation et al	3:01cv03291	Consolidation	1.5
Securities and Exchange Commission v. O'Connell	3:01cv03980	Consolidation	0.6
Securities and Exchange Commission v. Thatcher et al	3:02cv00621	Consolidation	12.7
Securities & Exchange Commission v. Beck	3:02cv04105	Consolidation	6.0
Jacobson v. Sipex Corporation et al	3:05cv00712	Consolidation	2.8
Ronald Siemers v. Wells Fargo & Company et al	3:05cv04518	Consolidation	29.6
Kaczak v. Empresas La Moderna, et al	3:99cv00467	Consolidation	0.2
Gross v. Duffield, et al	3:99cv00498	Consolidation	1.4
Nienke Lels-Hohmann v. Duffield, et al	3:99cv00508	Consolidation	1.3
Baker v. Peoplesoft, Inc., et al	3:99cv00509	Consolidation	0.1
UTA of KY v. Duffield, et al	3:99cv00517	Consolidation	1.3
He v. Duffield, et al	3:99cv00518	Consolidation	1.3
Timashov, et al v. Peoplesoft, Inc., et al	3:99cv00528	Consolidation	1.2
Tuchman v. Peoplesoft Inc, et al	3:99cv00539	Consolidation	1.2
Weisburgh v. Peoplesoft Inc., et al	3:99cv00540	Consolidation	1.2

Consolidation

There was/were 112 case(s) terminated by Consolidation. The average time to case termination in months from case filing was 3.0. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

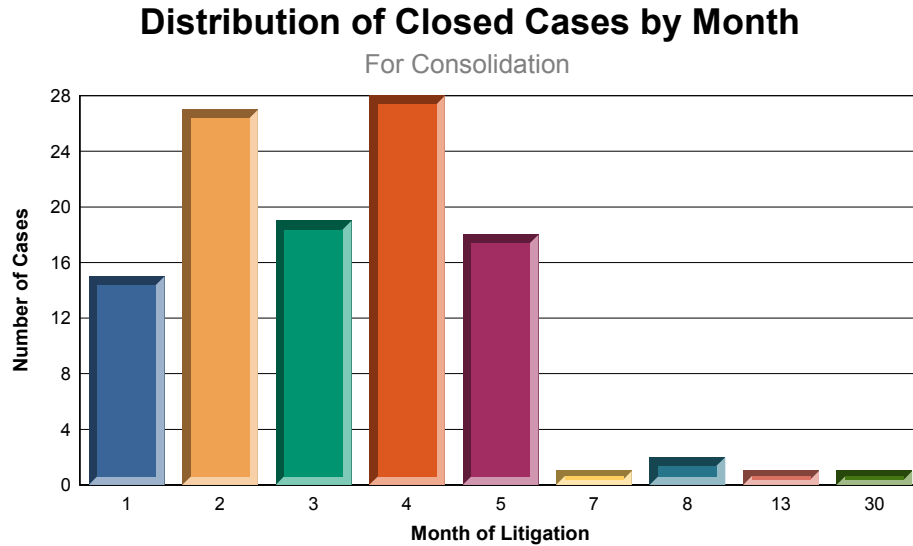


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Ellis Investment Co v. Peoplesoft Inc., et al	3:99cv00550	Consolidation	1.2
Tseng v. Peoplesoft Inc, et al	3:99cv00551	Consolidation	1.2
Mandel v. Duffield, et al	3:99cv00556	Consolidation	1.2
Seidband v. Peoplesoft Inc, et al	3:99cv00571	Consolidation	1.1
Levie v. Peoplesoft Inc, et al	3:99cv00574	Consolidation	1.1
Schachter v. Peoplesoft Inc, et al	3:99cv00618	Consolidation	1.0
Morse v. Peoplesoft, Inc., et al	3:99cv00624	Consolidation	1.0
Dorfman v. Peoplesoft, Inc., et al	3:99cv00673	Consolidation	0.0
Dieken, et al v. Peoplesoft, Inc., et al	3:99cv00752	Consolidation	7.3
Howell v. Peoplesoft, Inc., et al	3:99cv00924	Consolidation	7.0
Wetzel v. Network Associates, et al	3:99cv01731	Consolidation	4.6
Estate of Lillian He v. Networks Associates, et al	3:99cv01738	Consolidation	4.6
Hallowell, et al v. Networks Associates, et al	3:99cv01778	Consolidation	4.6
Klein v. Networks Associates, et al	3:99cv01789	Consolidation	4.6
Krim v. Network Associates, et al	3:99cv01808	Consolidation	4.5
Bunson v. Networks Associates, et al	3:99cv01812	Consolidation	4.5
Maczko, et al v. Network Associates, et al	3:99cv01824	Consolidation	4.4
Fine v. Network Associates, et al	3:99cv01833	Consolidation	4.4

Consolidation

There was/were 112 case(s) terminated by Consolidation. The average time to case termination in months from case filing was 3.0. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

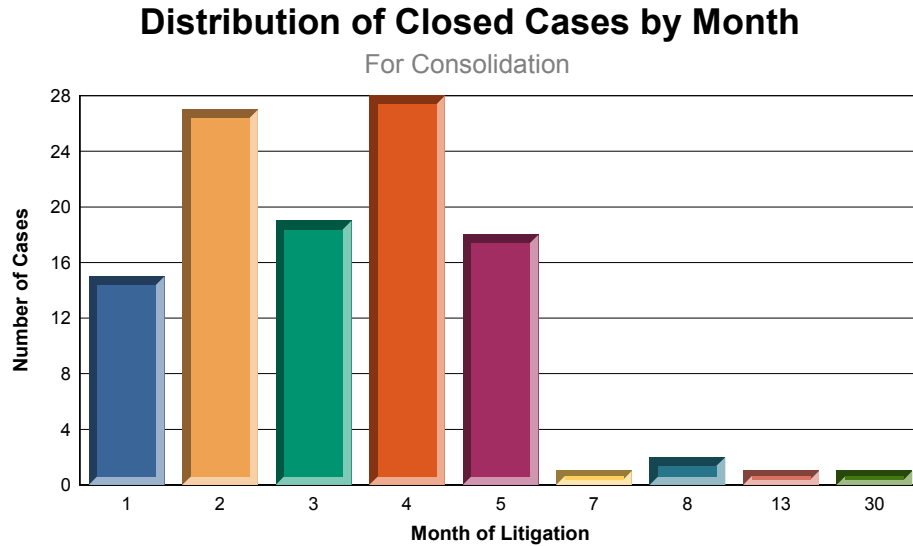


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Pappas, et al v. Network Associates, et al	3:99cv01850	Consolidation	4.4
Fulton v. Network Associates, et al	3:99cv01870	Consolidation	4.4
Shih v. Network Associates, et al	3:99cv01883	Consolidation	4.3
Beltran v. Network Associates, et al	3:99cv01943	Consolidation	4.1
Alschuler, et al v. Networks Assoc Inc, et al	3:99cv01971	Consolidation	4.1
Goldsmith v. Network Associates, et al	3:99cv01990	Consolidation	3.9
Holtan v. Networks Associates, et al	3:99cv02105	Consolidation	4.3
Chan v. Networks Associates, et al	3:99cv02106	Consolidation	4.2
Conchado, et al v. Network Associates, et al	3:99cv02123	Consolidation	3.7
Casserly v. Network Associates, et al	3:99cv02232	Consolidation	3.4
Fleming v. Network Associates, et al	3:99cv02465	Consolidation	3.6
Vatuone v. Network Associates, et al	3:99cv02686	Consolidation	3.1
Mulanax v. Hall Kinion & Assoc, et al	3:99cv02990	Consolidation	4.8
Schubert v. Network Associates, et al	3:99cv03035	Consolidation	2.2
Gabos v. Hall Kinion & Assoc, et al	3:99cv03175	Consolidation	4.4
Cappa, et al v. Network Assoc. Inc., et al	3:99cv04033	Consolidation	3.0
Lidsky v. Networks Associates, et al	3:99cv04137	Consolidation	0.8

Consolidation

There was/were 112 case(s) terminated by Consolidation. The average time to case termination in months from case filing was 3.0. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

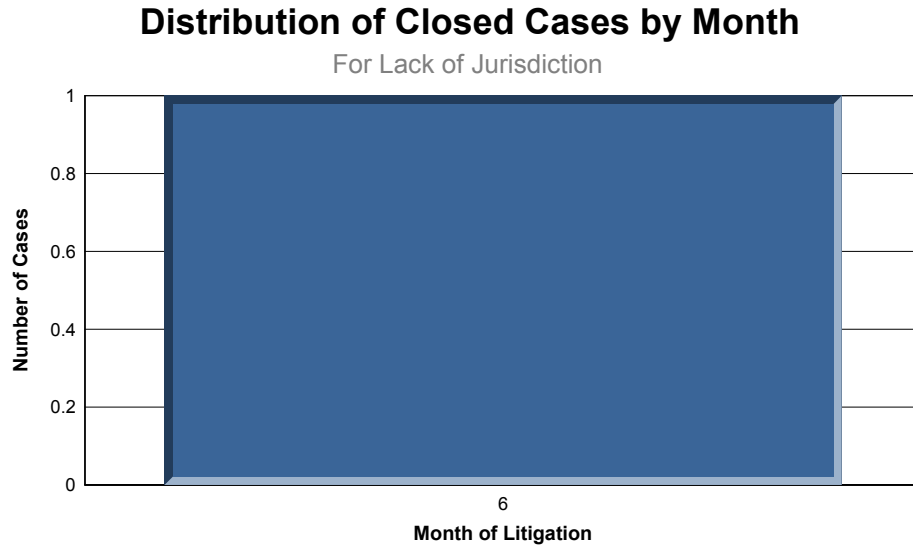


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Zamora v. Network Associates, et al	3:99cv05156	Consolidation	1.0
O'Reilly v. LDK Solar Co., Ltd. et al	3:07cv05205	Consolidation	0.9
Greenwald v. Peng et al	3:07cv05259	Consolidation	0.7
Karkonan v. LDK Solar Co., Ltd. et al	3:07cv05752	Consolidation	0.5
Halidou et al v. LDK Solar Co., Ltd. et al	3:08cv00799	Consolidation	4.2
Hageman v. The Charles Schwab Corporation et al	3:08cv01733	Consolidation	2.4
Glasgow v. The Charles Schwab Corporation et al	3:08cv01936	Consolidation	2.0
Flanzraich et al v. The Charles Schwab Corporation et al	3:08cv01994	Consolidation	1.8
Vinayak R. Pai Defined Benefits Pension Plan v. The Charles Schwab Corporation et al	3:08cv02058	Consolidation	1.7
Coleman v. The Charles Schwab Corporation et al	3:08cv02983	Consolidation	0.2
Bohl et al v. The Charles Schwab Corporation et al	3:08cv02984	Consolidation	0.2

Lack of Jurisdiction

There was/were 1 case(s) terminated by Lack of Jurisdiction. The average time to case termination in months from case filing was 5.3. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

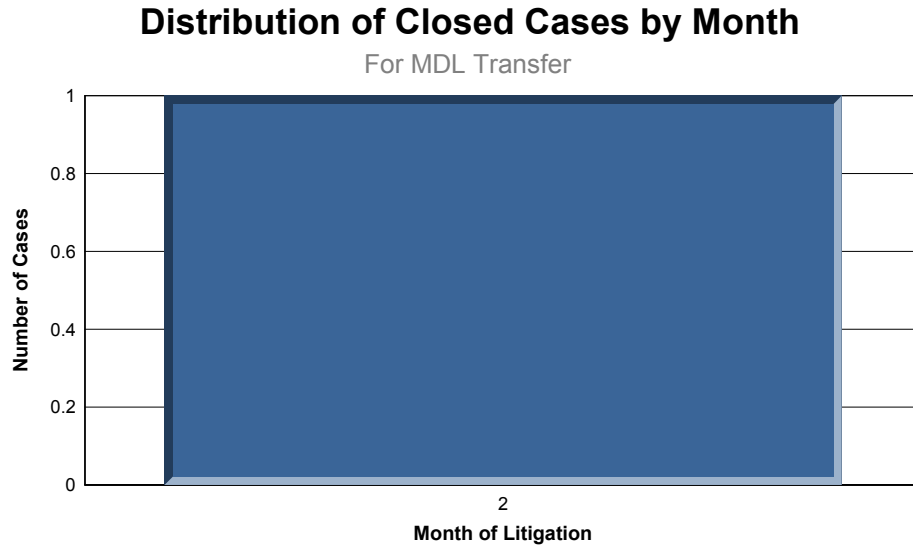


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Lucia v. Baer et al	3:11cv06417	Lack of Jurisdiction	5.3

MDL Transfer

There was/were 1 case(s) terminated by MDL Transfer. The average time to case termination in months from case filing was 1.6. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

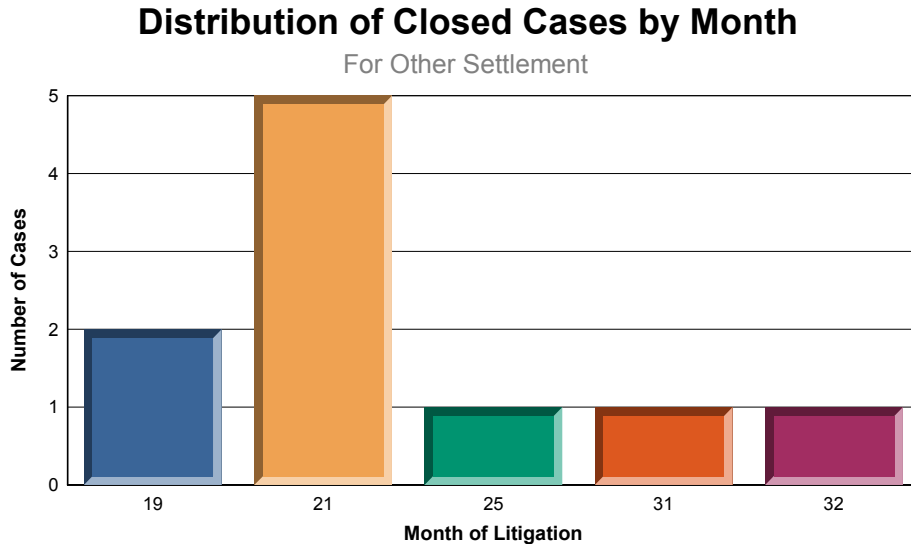


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
City of San Buenaventura v. Fuld et al	3:09cv00877	MDL Transfer	1.6

Other Settlement

There was/were 10 case(s) terminated by Other Settlement. The average time to case termination in months from case filing was 22.7. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

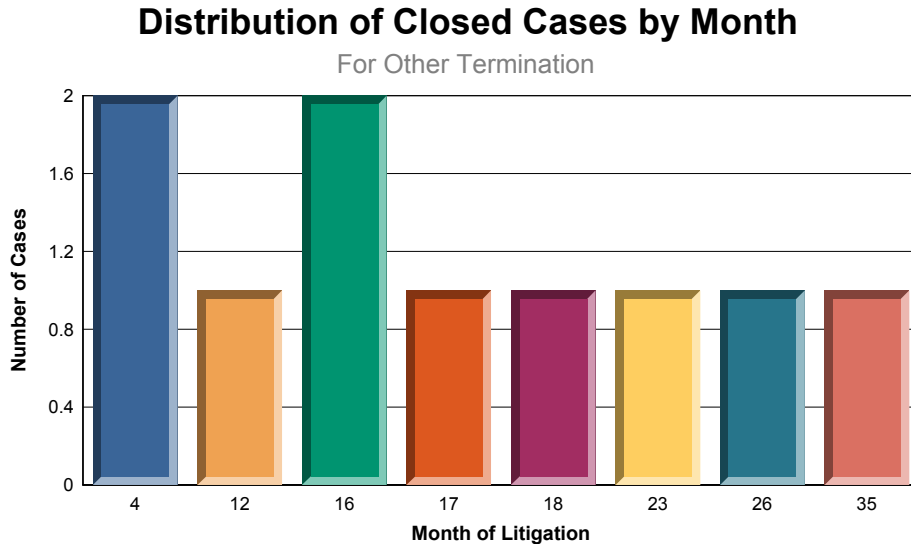


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Cohn, et al v. Critical Path Inc., et al	3:01cv00551	Other Settlement	18.1
Ravid, et al v. Commtouch Software, et al	3:01cv00719	Other Settlement	31.2
Scottovia, et al v. Duffield, et al	3:99cv00472	Other Settlement	30.8
Knisley, et al v. Networks Associates, et al	3:99cv01729	Other Settlement	24.6
Securities And Exchange Commission v. Daifotis et al	3:11cv00137	Other Settlement	18.2
Mitchem v. Diamond Foods, Inc. et al	3:11cv05399	Other Settlement	20.9
Woodward v. Diamond Foods, Inc. et al	3:11cv05409	Other Settlement	20.9
Rall et al v. Diamond Foods, Inc. et al	3:11cv05457	Other Settlement	20.9
Simon v. Diamond Foods, Inc. et al	3:11cv05479	Other Settlement	20.8
MacFarland v. Diamond Foods, Inc. et al	3:11cv05615	Other Settlement	20.5

Other Termination

There was/were 10 case(s) terminated by Other Termination. The average time to case termination in months from case filing was 16.6. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

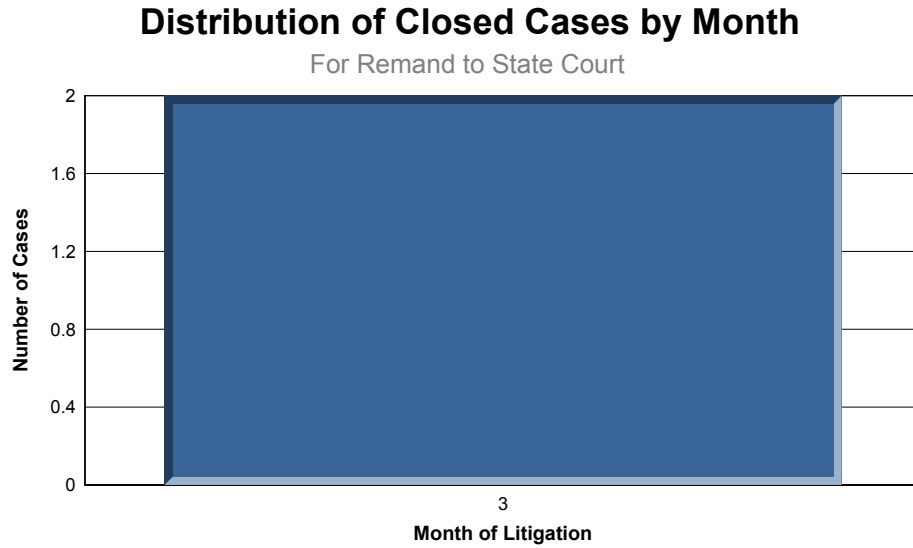


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Securities Exchange v. Higgins, et al	3:00cv01657	Other Termination	22.1
Fikejs v. Malaga, et al	3:01cv00811	Other Termination	34.7
In re: Netflix, Inc. Security Litigation	3:04cv02978	Other Termination	15.9
Keller v. Sipex Corporation et al	3:05cv00331	Other Termination	3.5
Levy v. Sipex Corporation et al	3:05cv00505	Other Termination	3.2
Tomkins et al v. Forte Capital Partners, LLC et al	3:06cv02594	Other Termination	11.8
Zucker v. Zoran Corporation et al	3:06cv04843	Other Termination	17.1
Rosario v. Aharon et al	3:06cv05949	Other Termination	15.5
Parnes, et al v. Hall Kinion & Assoc, et al	3:99cv02943	Other Termination	16.4
Tsang v. LDK Solar Co., Ltd. et al	3:07cv06341	Other Termination	25.8

Remand to State Court

There was/were 2 case(s) terminated by Remand to State Court. The average time to case termination in months from case filing was 2.5. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

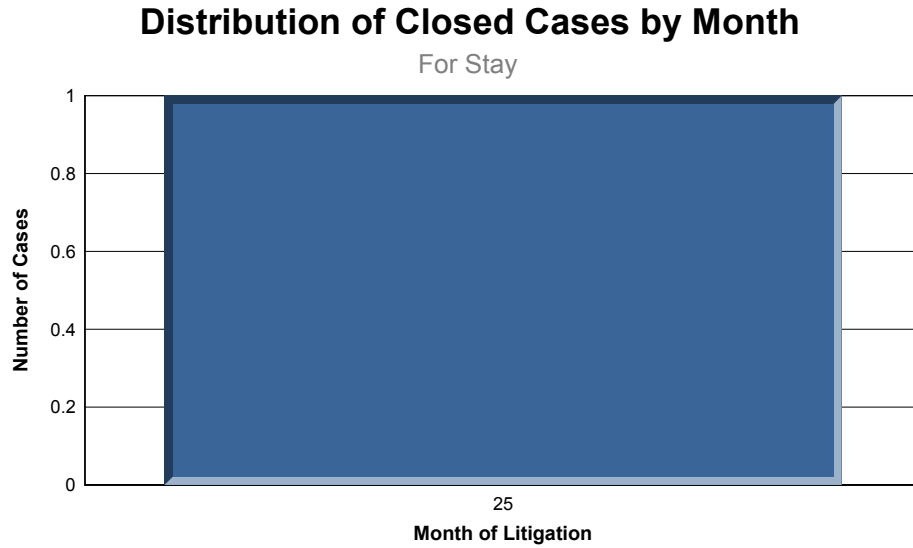


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Desmarairs v. Johnson et al	3:13cv03666	Remand to State Court	2.5
Jinnah v. Cafepress Inc. et al	3:13cv03668	Remand to State Court	2.5

Stay

There was/were 1 case(s) terminated by Stay. The average time to case termination in months from case filing was 24.5. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

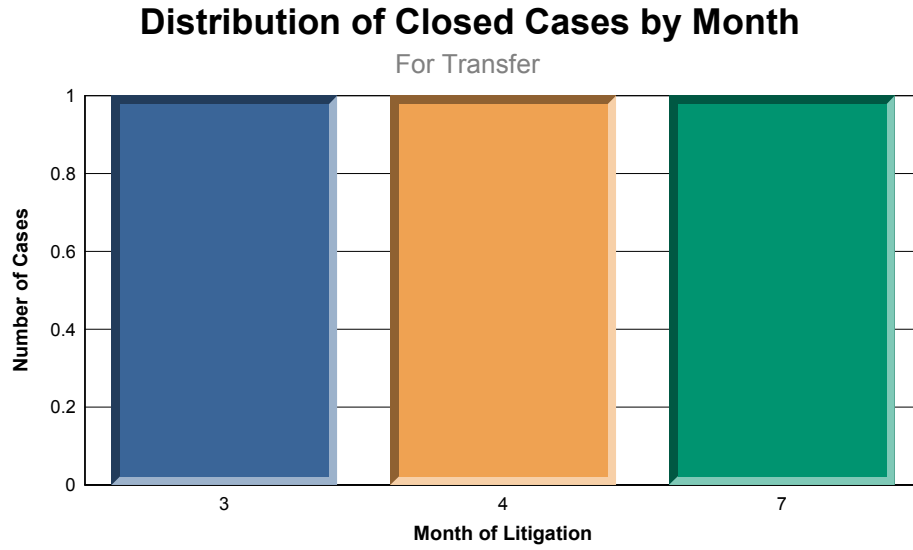


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Securities And Exchange Commission v. Lapine	3:01cv03650	Stay	24.5

Transfer

There was/were 3 case(s) terminated by Transfer. The average time to case termination in months from case filing was 4.2. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".

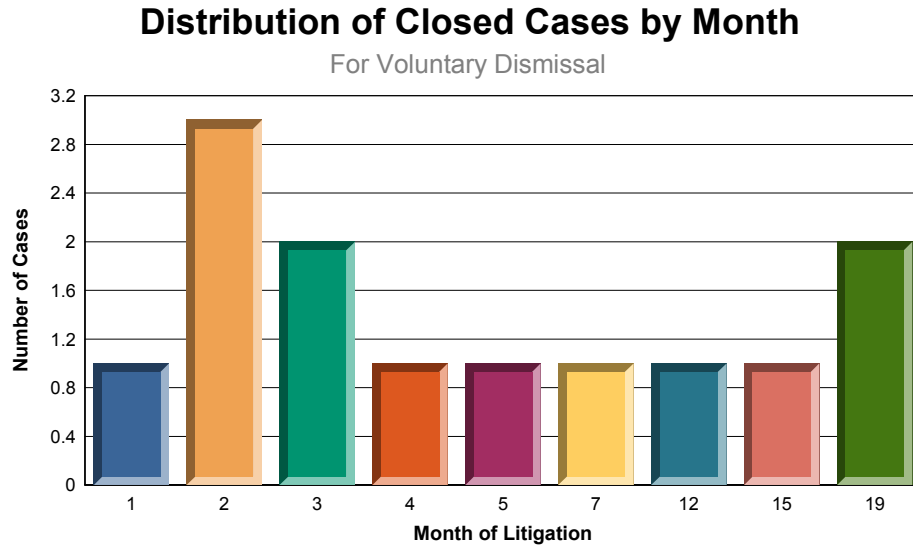


The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
Lacoste v. Robertson Stepehens, Inc. et al	3:03cv01443	Transfer	3.4
Smajlaj v. Robertson Stephens Inc. et al	3:03cv01767	Transfer	2.8
Lin v. Platinum Too, LLC et al	3:07cv05551	Transfer	6.4

Voluntary Dismissal

There was/were 13 case(s) terminated by Voluntary Dismissal. The average time to case termination in months from case filing was 6.6. The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart. Cases still pending after four years (if any) are lumped into month "49".



The supporting data is shown below.

Case Name	Case Number	Outcome	Pendency
State Board of Admin v. Network Associates, et al	3:00cv03981	Voluntary Dismissal	3.6
Mojo Management v. eVoice Inc., et al	3:01cv01161	Voluntary Dismissal	6.2
Starr v. Boston Equiserve et al	3:01cv02219	Voluntary Dismissal	14.2
Adams v. EConnect Inc et al	3:01cv03617	Voluntary Dismissal	2.6
Digital Courier Technologies, Inc. v. Egide et al	3:02cv00082	Voluntary Dismissal	4.2
MBCP Peerlogic LLC et al v. Critical Path, Inc. et al	3:02cv05824	Voluntary Dismissal	11.7
Camberis, et al v. Roughton, et al	3:99cv00789	Voluntary Dismissal	18.8
Biotechnology Value Fund, L.P. et al v. Celera Corporation et al	3:13cv03248	Voluntary Dismissal	18.2
Jao v. Critical Path Inc. et al	3:02cv00613	Voluntary Dismissal	2.1
Feuer v. Telik, Inc. et al	3:07cv02986	Voluntary Dismissal	1.8
Hatami v. Telik, Inc. et al	3:07cv03454	Voluntary Dismissal	1.0
Tully et al v. The Charles Schwab Corporation et al	3:08cv02878	Voluntary Dismissal	0.5
Peate v. Charles Schwab Investment Management, Inc. et al	3:10cv05267	Voluntary Dismissal	1.5

Awards and Settlement Amounts:

The awards or settlement amounts found in these cases (if any) are shown below.

<u>Case Name</u>	<u>Case Number</u>	<u>Case Outcome</u>	<u>Date of Decision</u>	<u>Amount</u>
SEC v. Mesplou	3:01cv01243	Consent Judgment	6/4/2001	\$286,634
Securities and Exchange Commission v. Tri-West Investment Club et al	3:01cv03386	Default Judgment	12/19/2002	\$62,070,398
Biancur, et al v. Hickey, et al	3:95cv02145	Default Judgment	6/28/2000	\$10,887,150
SEC v. Hickey, et al	3:94cv03336	Summary Judgment	2/18/2000	\$2,480,461

Appeal Outcomes:

There have been 13 appealed cases. The results of those appeals (if any) are shown below. Note that the appeal may be an interlocutory appeal or an appeal of a final judgment.

<u>Case Name</u>	<u>Case Number</u>	<u>Case Outcome</u>	<u>Appeal Outcome</u>
Securities And Exchange Commission v. The Rose Fund, LLC et al	3:03cv04593	Bench Trial	Affirmed
Securities And Exchange Commission v. Goldfarb et al	3:11cv00938	Consent Judgment	Dismissed
Hertzfeld et al v. Transmeta Corporation et al	3:01cv02450	Consent Judgment	Dismissed
Biancur, et al v. Hickey, et al	3:95cv02145	Default Judgment	Affirmed
Securities And Exchange Commission v. Hilsenrath et al	3:03cv03252	Default Judgment	Dismissed
Hsu v. UBS Financial Services, Inc.	3:11cv02076	Involuntary Dismissal	Affirmed
Clayton et al v. Landsing Pacific Fund Inc. et al	3:01cv03110	Involuntary Dismissal	Affirmed
In Re: DNAP Sec. Lit, et al v. , et al	3:99cv00048	Involuntary Dismissal	Affirmed,Reversed,Remanded
Lucia v. Baer et al	3:11cv06417	Lack of Jurisdiction	Affirmed
Knisley, et al v. Networks Associates, et al	3:99cv01729	Other Settlement	Dismissed
Parnes, et al v. Hall Kinion & Assoc, et al	3:99cv02943	Other Termination	Dismissed
SEC v. Hickey, et al	3:94cv03336	Summary Judgment	Affirmed,Remanded,Dismissed
Lubin v. Hoffman, et al	3:95cv01144	Summary Judgment	Vacated,Remanded

Motion Outcomes:

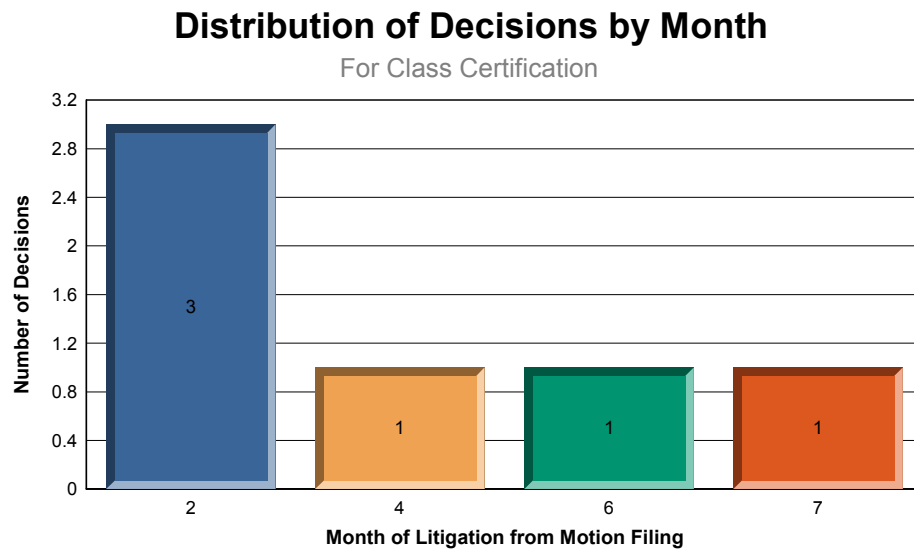
The number of contested motion decisions, win rate, and time in months from motion filing to decision by Judge Alsup in these cases are shown below, broken out by motion type and movant. See following sections for details. For all motion types, the average win rate on plaintiff's motions was 69.1%, the average win rate on defendant's motions was 50.0% and the difference was 19.1%. The nationwide difference on plaintiff v. defendant motion win rates in securities cases is 6%.

		Number	Win Rate	Pendency
Class Certification	Total	6	50.0	3.1
	Plaintiff	6	50.0	3.1
Consolidate	Total	11	100.0	1.2
	Plaintiff	11	100.0	1.2
Contempt	Total	6	91.7	2.2
	Plaintiff	6	91.7	2.2
Default Motion	Total	13	65.4	1.1
	Plaintiff	13	65.4	1.1
Discovery	Total	15	53.3	1.6
	Defendant	2	0.0	1.9
	Plaintiff	8	50.0	2.1
	Third Party	5	80.0	0.7
Dismissal	Total	57	64.0	2.3
	Defendant	45	61.1	2.6
	Plaintiff	12	75.0	0.9
Expert/Daubert	Total	2	25.0	1.3
	Plaintiff	2	25.0	1.3
Intervention	Total	4	37.5	1.1
	Third Party	4	37.5	1.1
Judgment on the Pleadings	Total	2	100.0	1.1
	Defendant	2	100.0	1.1
Lead Counsel Motion	Total	11	54.5	1.2
	Plaintiff	11	54.5	1.2
Lead Plaintiff Motion	Total	17	44.1	1.4
	Plaintiff	17	44.1	1.4
Motion to Approve Settlement	Total	17	100.0	1.0
	Defendant	1	100.0	1.6
	Plaintiff	16	100.0	1.0

		Number	Win Rate	Pendency
Motion to Freeze Assets	Total	1	100.0	0.0
	Plaintiff	1	100.0	0.0
Permanent Injunction	Total	1	50.0	3.1
	Plaintiff	1	50.0	3.1
Preliminary Injunction	Total	2	100.0	1.8
	Plaintiff	2	100.0	1.8
Remand Motion	Total	4	100.0	1.0
	Plaintiff	4	100.0	1.0
Sanctions/Attorneys Fees	Total	21	61.9	1.6
	Defendant	1	0.0	1.8
	Plaintiff	18	61.1	1.7
	Third Party	2	100.0	0.8
Stay	Total	9	38.9	1.1
	Defendant	4	0.0	1.1
	Plaintiff	1	0.0	0.1
	Third Party	4	87.5	1.4
Summary Judgment	Total	16	46.9	2.2
	Defendant	6	16.7	1.4
	Plaintiff	9	66.7	2.8
	Third Party	1	50.0	1.8
Temporary Restraining Order Motion	Total	2	100.0	0.0
	Plaintiff	2	100.0	0.0
Transfer Motion	Total	3	0.0	3.0
	Defendant	2	0.0	2.2
	Plaintiff	1	0.0	4.7

Class Certification

There were 6 Class Certification contested decisions by Judge Alsup. The overall contested win rate on these motions was 50.0%. The average time (in months) from motion filing to decision was 3.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

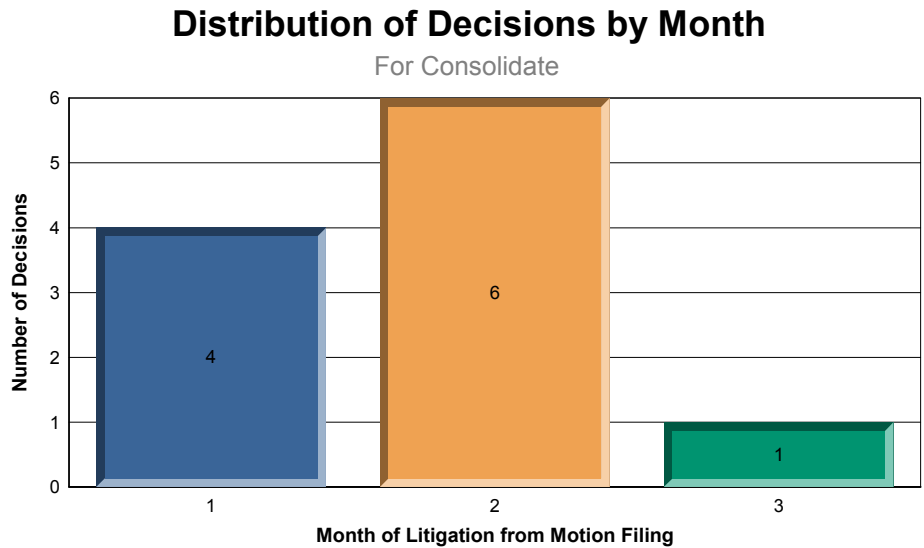


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:05cv04518	Granted in part, Denied in Part	Plaintiff	1.4	6/1/07
3:07cv05182	Granted	Plaintiff	5.0	1/28/09
3:99cv00048	Denied	Plaintiff	1.1	6/19/03
3:99cv00472	Denied	Plaintiff	6.3	3/5/01
3:08cv01510	Granted in part, Denied in Part	Plaintiff	3.7	8/21/09
3:11cv05386	Granted	Plaintiff	1.3	5/6/13

Consolidate

There were 11 Consolidate contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

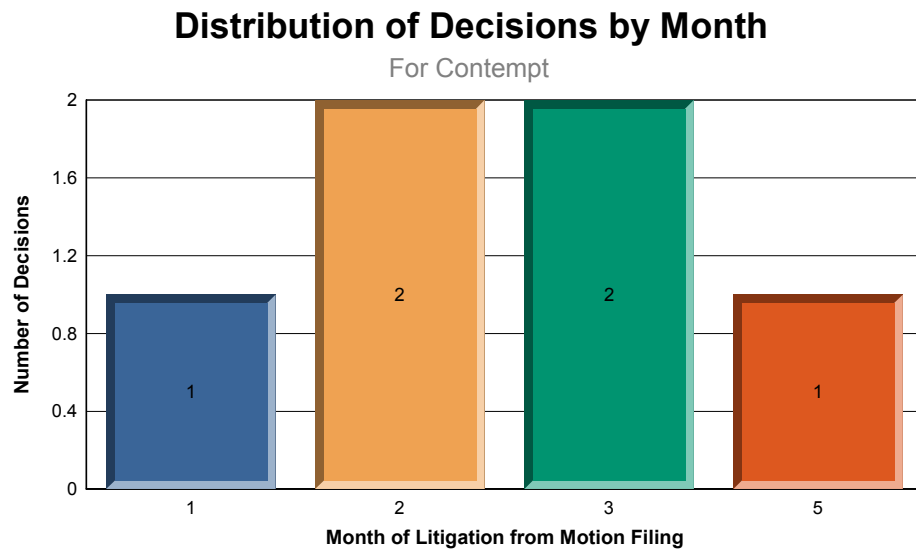


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv00719	Granted	Plaintiff	1.2	5/24/01
3:01cv00719	Granted	Plaintiff	1.2	5/24/01
3:01cv00719	Granted	Plaintiff	1.2	5/24/01
3:01cv01473	Granted	Plaintiff	2.8	7/10/01
3:01cv02450	Granted	Plaintiff	1.3	10/3/01
3:05cv00331	Granted	Plaintiff	1.6	5/12/05
3:08cv01510	Granted	Plaintiff	0.9	6/11/08
3:08cv01510	Granted	Plaintiff	0.9	6/11/08
3:05cv00331	Granted	Plaintiff	1.5	5/12/05
3:11cv05399	Granted	Plaintiff	0.6	1/24/12
3:11cv05409	Granted	Plaintiff	0.6	1/24/12

Contempt

There were 6 Contempt contested decisions by Judge Alsup. The overall contested win rate on these motions was 91.7%. The average time (in months) from motion filing to decision was 2.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

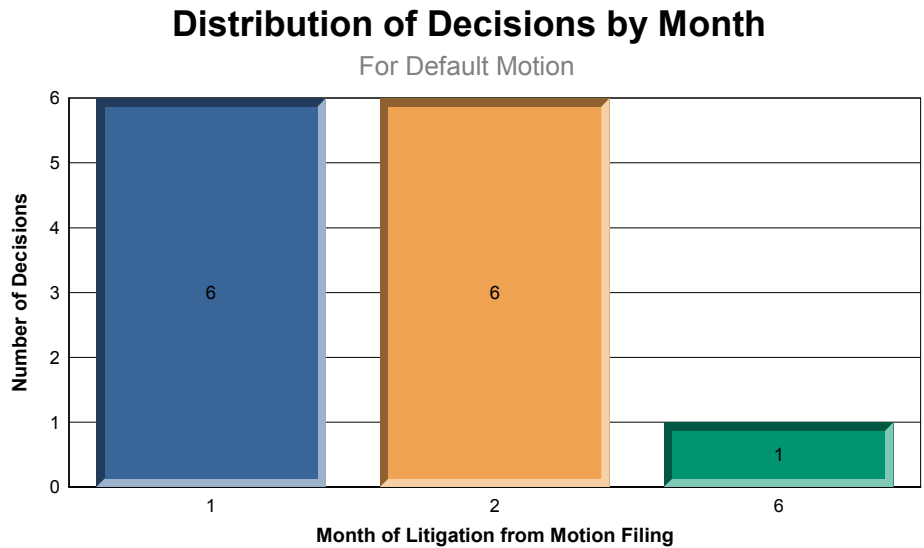


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:03cv04593	Granted	Plaintiff	1.9	3/5/04
3:94cv03336	Granted	Plaintiff	4.5	9/7/01
3:94cv03336	Granted	Plaintiff	1.5	9/30/02
3:94cv03336	Granted	Plaintiff	2.0	5/6/03
3:11cv00938	Granted	Plaintiff	0.7	6/20/12
3:83cv00711	Granted in part, Denied in Part	Plaintiff	2.3	1/19/12

Default Motion

There were 13 Default Motion contested decisions by Judge Alsup. The overall contested win rate on these motions was 65.4%. The average time (in months) from motion filing to decision was 1.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



The supporting data is shown below.

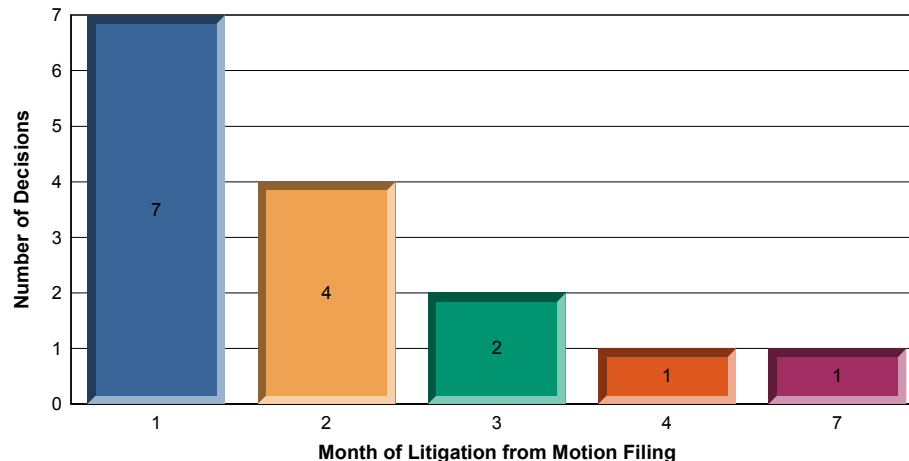
Case Number	Decision	Movant	Pendency	Date of Decision
3:95cv02145	Granted	Plaintiff	5.9	6/28/00
3:03cv03252	Granted	Plaintiff	0.3	11/18/03
3:03cv03252	Denied	Plaintiff	1.2	6/24/05
3:01cv03386	Granted	Plaintiff	0.3	1/24/02
3:01cv03386	Granted	Plaintiff	1.1	8/12/02
3:01cv03386	Granted	Plaintiff	1.2	12/19/02
3:04cv02475	Denied	Plaintiff	0.2	11/12/04
3:07cv05551	Granted	Plaintiff	0.3	1/24/08
3:07cv05551	Denied	Plaintiff	1.5	4/4/08
3:12cv05116	Granted	Plaintiff	0.0	11/16/12
3:11cv02076	Denied	Plaintiff	0.0	2/19/14
3:12cv00746	Granted in part, Denied in Part	Plaintiff	1.1	8/22/13
3:12cv05116	Granted	Plaintiff	1.2	11/1/13

Discovery

There were 15 Discovery contested decisions by Judge Alsup. The overall contested win rate on these motions was 53.3%. The average time (in months) from motion filing to decision was 1.6. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

Distribution of Decisions by Month

For Discovery

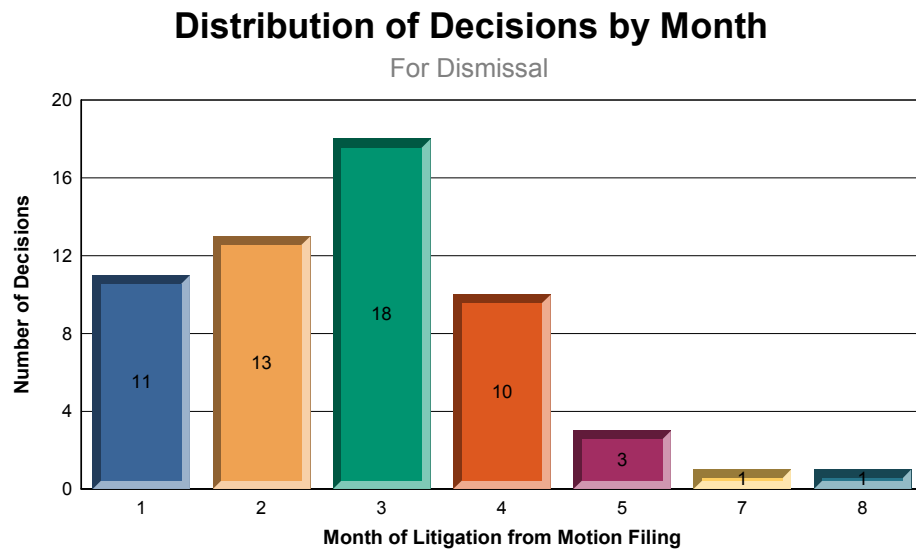


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:95cv02145	Granted	Plaintiff	6.0	1/7/05
3:03cv03252	Granted	Third Party	1.2	8/25/05
3:03cv03252	Granted	Third Party	1.4	8/18/05
3:07cv05182	Denied	Defendant	2.1	9/24/08
3:07cv05182	Granted	Third Party	0.2	5/20/09
3:98cv03739	Denied	Defendant	1.6	1/19/00
3:13cv03248	Granted	Third Party	0.3	9/25/14
3:13cv03248	Denied	Third Party	0.3	9/25/14
3:01cv00719	Granted	Plaintiff	1.0	3/26/03
3:94cv03336	Granted in part, Denied in Part	Plaintiff	1.9	2/2/01
3:99cv00472	Granted in part, Denied in Part	Plaintiff	4.0	2/15/01
3:99cv01729	Denied	Plaintiff	0.5	3/23/01
3:99cv01729	Denied	Plaintiff	2.7	1/18/00
3:08cv01510	Granted in part, Denied in Part	Plaintiff	0.2	2/23/10
3:08cv01510	Granted in part, Denied in Part	Plaintiff	1.0	2/23/10

Dismissal

There were 57 Dismissal contested decisions by Judge Alsup. The overall contested win rate on these motions was 64.0%. The average time (in months) from motion filing to decision was 2.3. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



The supporting data is shown below.

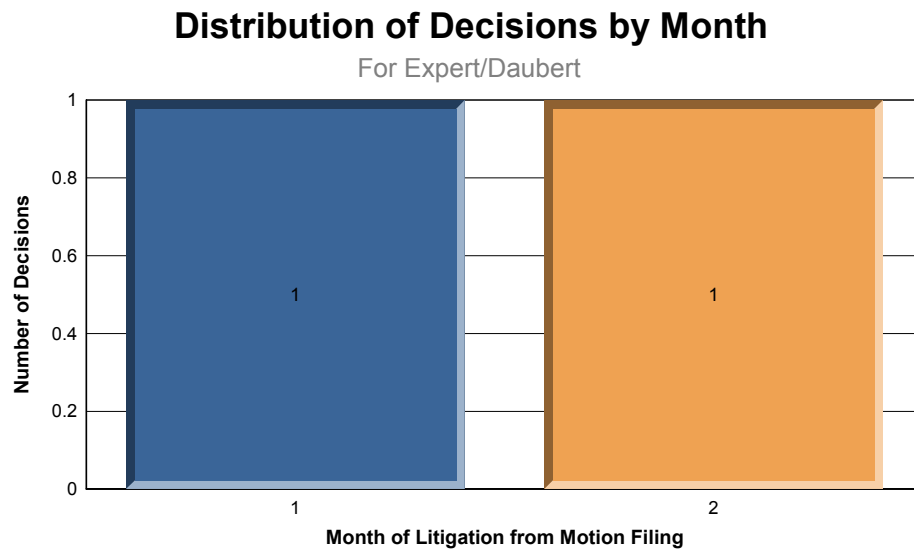
Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv00719	Granted	Defendant	2.9	2/11/02
3:01cv00719	Granted in part, Denied in Part	Defendant	3.1	7/24/02
3:01cv01161	Granted	Defendant	1.2	7/26/01
3:01cv01473	Granted in part, Denied in Part	Defendant	7.6	5/28/02
3:99cv00048	Granted	Defendant	3.4	3/7/00
3:99cv00048	Granted	Defendant	4.4	9/14/00
3:99cv00048	Granted	Plaintiff	0.9	8/11/03
3:99cv00472	Granted in part, Denied in Part	Defendant	3.5	5/26/00
3:99cv00789	Denied	Defendant	3.5	1/26/00
3:99cv00789	Denied	Plaintiff	1.4	4/7/00
3:99cv01729	Granted in part, Denied in Part	Defendant	4.2	9/6/00
3:99cv01729	Granted in part, Denied in Part	Defendant	3.0	9/6/00
3:99cv02943	Granted	Defendant	2.0	4/25/00
3:99cv02943	Granted	Defendant	3.3	10/27/00

3:01cv02450	Granted in part, Denied in Part	Defendant	1.5	3/5/02
3:01cv02450	Granted in part, Denied in Part	Defendant	1.6	5/24/02
3:01cv03110	Granted	Defendant	1.4	12/21/01
3:01cv03110	Granted	Defendant	2.0	5/9/02
3:02cv05824	Granted in part, Denied in Part	Defendant	2.4	4/14/03
3:02cv05824	Granted	Plaintiff	1.6	9/18/03
3:03cv04593	Granted	Defendant	1.0	3/5/04
3:03cv04593	Granted	Plaintiff	0.8	10/20/04
3:04cv02475	Granted	Defendant	3.0	7/26/05
3:04cv02978	Granted	Plaintiff	2.6	11/18/05
3:05cv00392	Granted	Plaintiff	0.0	8/4/05
3:05cv00392	Denied	Plaintiff	2.5	11/17/05
3:05cv00392	Granted	Defendant	2.5	11/17/05
3:05cv00392	Denied	Defendant	2.5	11/17/05
3:05cv04518	Granted in part, Denied in Part	Defendant	3.4	8/14/06
3:05cv04518	Granted	Defendant	3.4	8/14/06
3:05cv04518	Denied	Defendant	3.4	8/14/06
3:05cv04518	Granted in part, Denied in Part	Defendant	1.1	10/24/06
3:05cv04518	Denied	Defendant	0.7	4/17/07
3:06cv04843	Granted in part, Denied in Part	Defendant	2.9	6/5/07
3:06cv04843	Granted	Plaintiff	0.0	3/20/07
3:99cv00048	Granted	Plaintiff	0.9	8/11/03
3:99cv00048	Denied	Plaintiff	0.0	6/19/03
3:99cv01729	Granted in part, Denied in Part	Defendant	3.0	9/6/00
3:99cv01729	Granted in part, Denied in Part	Defendant	4.2	9/6/00
3:07cv02986	Granted	Plaintiff	0.0	8/1/07
3:07cv04975	Denied	Defendant	1.2	12/7/07
3:07cv05182	Denied	Defendant	1.7	5/29/08
3:03cv03252	Granted	Plaintiff	0.0	9/18/08
3:07cv05182	Denied	Defendant	2.1	9/24/08

3:08cv01510	Granted in part, Denied in Part	Defendant	3.0	2/4/09
3:08cv01510	Granted in part, Denied in Part	Defendant	3.0	2/4/09
3:08cv01510	Granted	Defendant	3.0	2/4/09
3:08cv01830	Granted in part, Denied in Part	Defendant	6.9	8/20/09
3:11cv02076	Granted	Defendant	1.0	8/5/11
3:11cv02076	Granted	Defendant	0.8	8/5/11
3:12cv00765	Granted	Defendant	1.3	11/19/12
3:12cv00746	Granted	Defendant	1.3	11/30/12
3:12cv00746	Granted in part, Denied in Part	Defendant	1.2	11/27/12
3:12cv00746	Denied	Defendant	2.8	10/5/12
3:12cv00746	Denied	Defendant	2.8	10/5/12
3:13cv03248	Granted	Defendant	2.1	12/20/13
3:13cv03248	Granted	Defendant	2.1	12/20/13

Expert/Daubert

There were 2 Expert/Daubert contested decisions by Judge Alsup. The overall contested win rate on these motions was 25.0%. The average time (in months) from motion filing to decision was 1.3. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

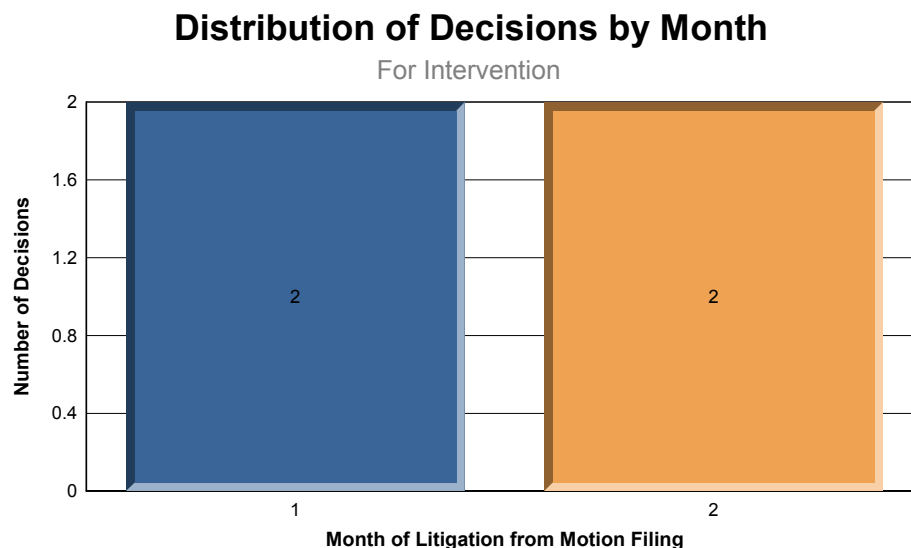


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:11cv00137	Granted in part, Denied in Part	Plaintiff	0.7	6/7/12
3:08cv01510	Denied	Plaintiff	1.8	4/8/10

Intervention

There were 4 Intervention contested decisions by Judge Alsup. The overall contested win rate on these motions was 37.5%. The average time (in months) from motion filing to decision was 1.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

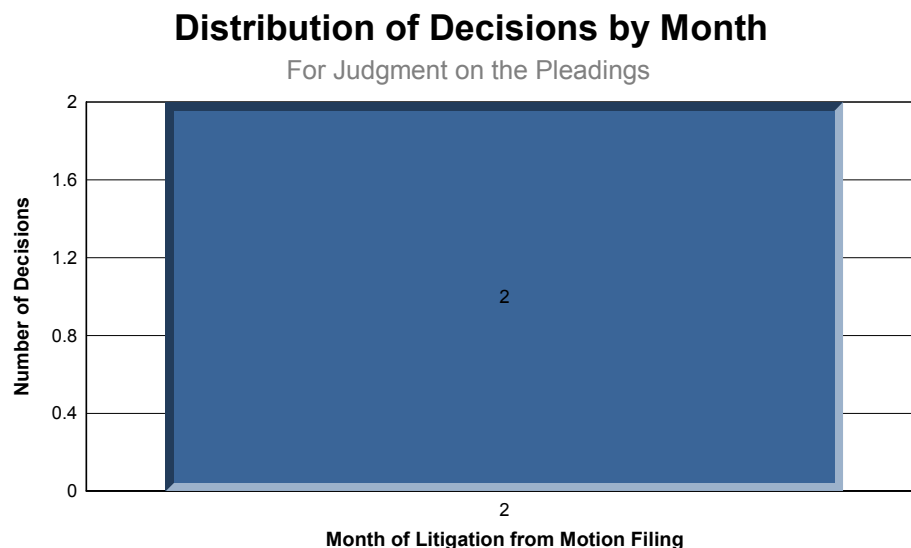


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:02cv05824	Granted in part, Denied in Part	Third Party	1.5	7/15/03
3:03cv03252	Granted	Third Party	1.4	8/18/05
3:08cv01510	Denied	Third Party	0.8	2/11/11
3:08cv01510	Denied	Third Party	0.7	2/11/11

Judgment on the Pleadings

There were 2 Judgment on the Pleadings contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

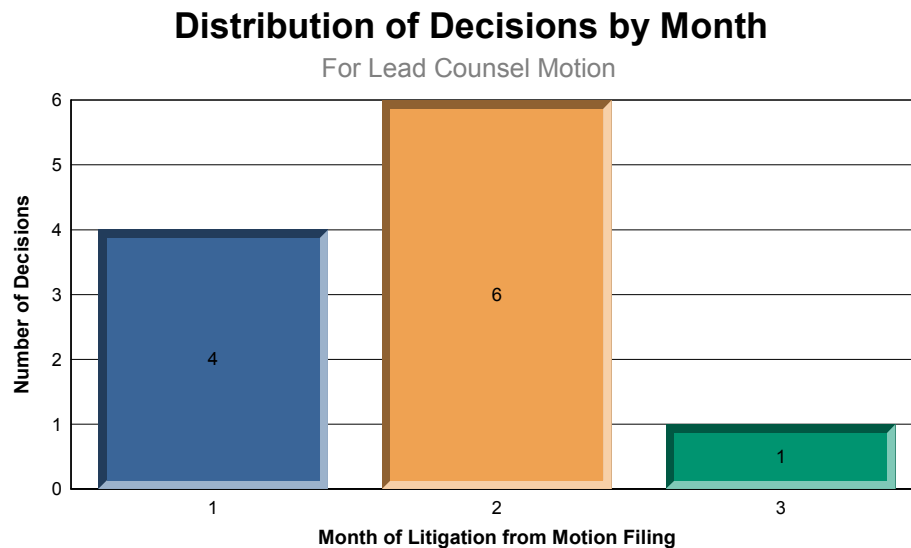


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:05cv04518	Granted	Defendant	1.1	5/17/07
3:05cv04518	Granted	Defendant	1.1	5/17/07

Lead Counsel Motion

There were 11 Lead Counsel Motion contested decisions by Judge Alsup. The overall contested win rate on these motions was 54.5%. The average time (in months) from motion filing to decision was 1.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

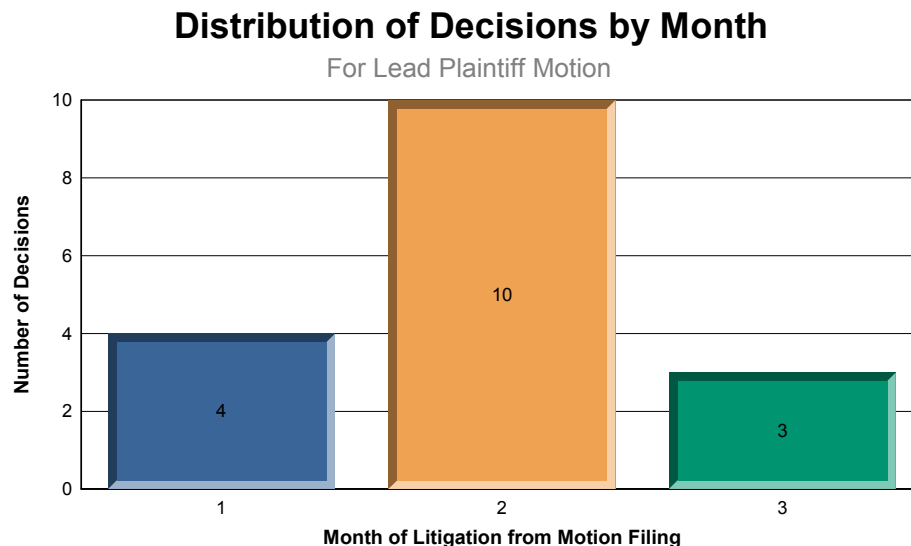


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv00719	Granted	Plaintiff	2.3	6/27/01
3:05cv04518	Granted in part, Denied in Part	Plaintiff	0.2	2/28/06
3:06cv04843	Denied	Plaintiff	1.6	12/11/06
3:06cv04843	Granted in part, Denied in Part	Plaintiff	1.6	12/11/06
3:07cv05182	Denied	Plaintiff	1.4	1/4/08
3:07cv05182	Denied	Plaintiff	1.4	1/4/08
3:07cv05182	Granted	Plaintiff	1.4	1/4/08
3:07cv05182	Denied	Plaintiff	0.8	1/4/08
3:07cv05182	Granted	Plaintiff	0.1	2/8/08
3:08cv01510	Granted	Plaintiff	0.1	8/18/08
3:08cv01830	Granted	Plaintiff	2.0	8/22/08

Lead Plaintiff Motion

There were 17 Lead Plaintiff Motion contested decisions by Judge Alsup. The overall contested win rate on these motions was 44.1%. The average time (in months) from motion filing to decision was 1.4. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



The supporting data is shown below.

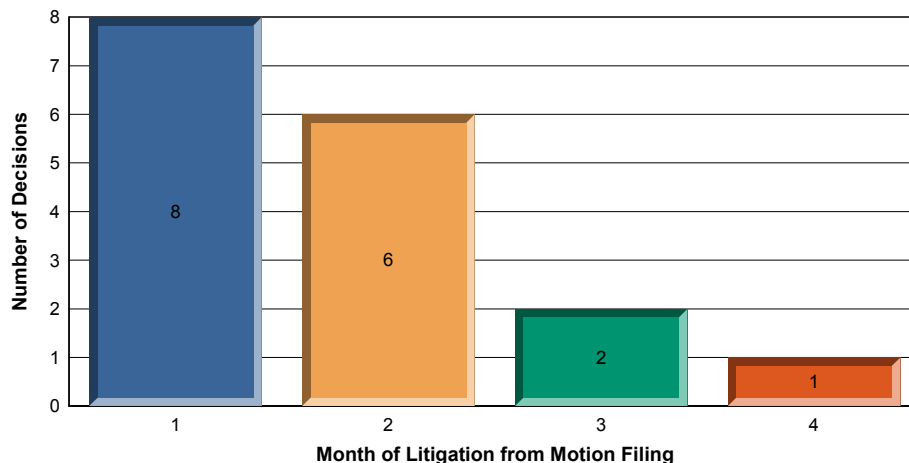
Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv00719	Granted	Plaintiff	2.3	6/27/01
3:01cv00719	Denied	Plaintiff	2.3	6/27/01
3:01cv00719	Denied	Plaintiff	2.3	6/27/01
3:05cv04518	Denied	Plaintiff	1.6	2/28/06
3:06cv04843	Denied	Plaintiff	1.6	12/11/06
3:06cv04843	Granted in part, Denied in Part	Plaintiff	1.6	12/11/06
3:07cv05182	Denied	Plaintiff	1.4	1/4/08
3:07cv05182	Denied	Plaintiff	1.4	1/4/08
3:07cv05182	Granted	Plaintiff	1.4	1/4/08
3:07cv05182	Denied	Plaintiff	0.8	1/4/08
3:08cv01510	Granted	Plaintiff	1.6	7/3/08
3:08cv01510	Denied	Plaintiff	1.5	7/3/08
3:08cv01510	Denied	Plaintiff	1.5	7/3/08
3:08cv01510	Granted	Plaintiff	0.1	8/18/08
3:08cv01830	Granted	Plaintiff	2.0	8/22/08
3:99cv02943	Granted	Plaintiff	0.5	12/23/99
3:05cv04518	Granted	Plaintiff	0.4	2/28/06

Motion to Approve Settlement

There were 17 Motion to Approve Settlement contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.0. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

Distribution of Decisions by Month

For Motion to Approve Settlement

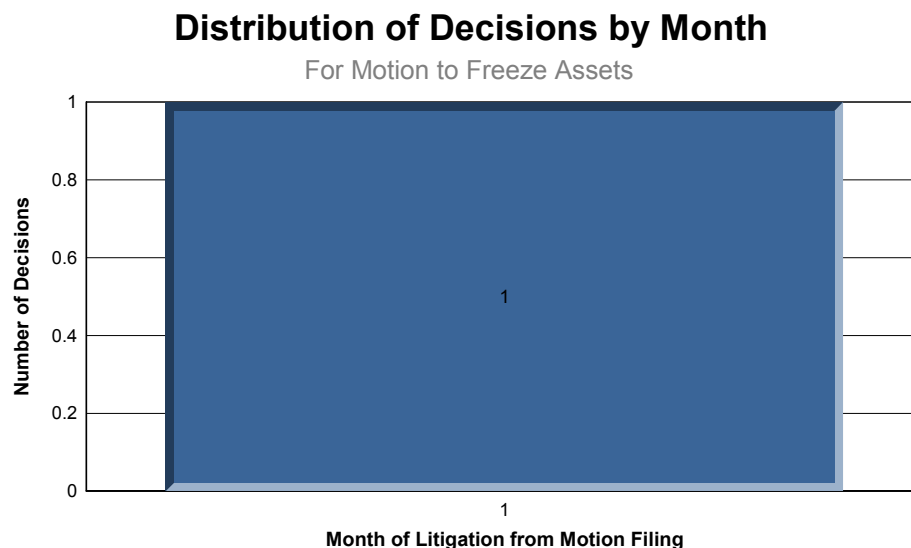


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv00551	Granted	Defendant	1.6	2/15/02
3:01cv00551	Granted	Plaintiff	1.1	6/18/02
3:01cv01473	Granted	Plaintiff	3.0	1/14/04
3:01cv02450	Granted	Plaintiff	0.1	12/6/02
3:01cv02450	Granted	Plaintiff	1.2	4/1/05
3:05cv00392	Granted	Plaintiff	0.2	1/18/06
3:05cv00392	Granted	Plaintiff	0.3	4/7/06
3:95cv02145	Granted	Plaintiff	3.4	1/14/03
3:99cv00472	Granted	Plaintiff	1.6	8/24/01
3:99cv01729	Granted	Plaintiff	0.1	2/28/01
3:12cv04486	Granted	Plaintiff	1.1	10/25/12
3:07cv02822	Granted	Plaintiff	0.1	3/19/13
3:07cv02822	Granted	Plaintiff	0.0	2/21/13
3:07cv02822	Granted	Plaintiff	0.0	2/21/13
3:07cv05182	Granted	Plaintiff	2.2	6/22/10
3:07cv05182	Granted	Plaintiff	0.1	2/17/10
3:08cv01510	Granted	Plaintiff	1.1	5/26/10

Motion to Freeze Assets

There were 1 Motion to Freeze Assets contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 0.0. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

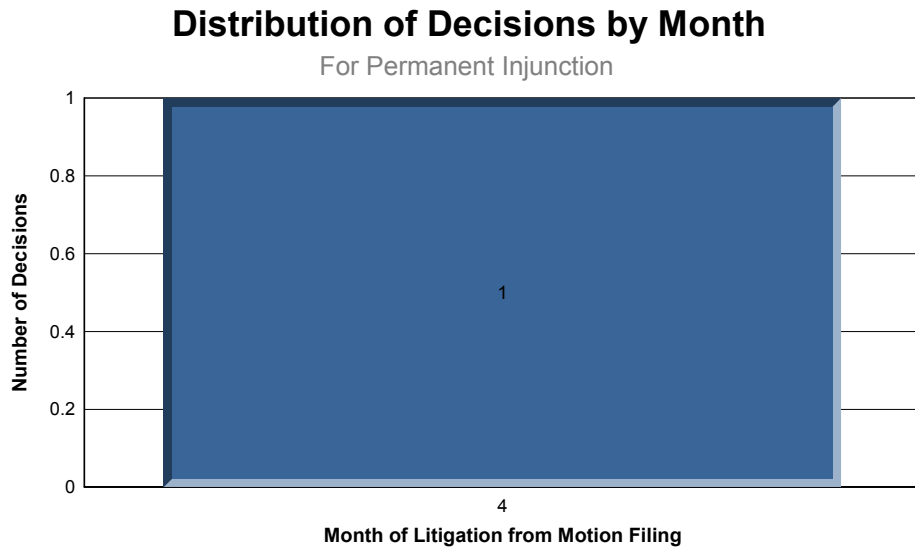


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:03cv04593	Granted	Plaintiff	0.0	10/10/03

Permanent Injunction

There were 1 Permanent Injunction contested decisions by Judge Alsup. The overall contested win rate on these motions was 50.0%. The average time (in months) from motion filing to decision was 3.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

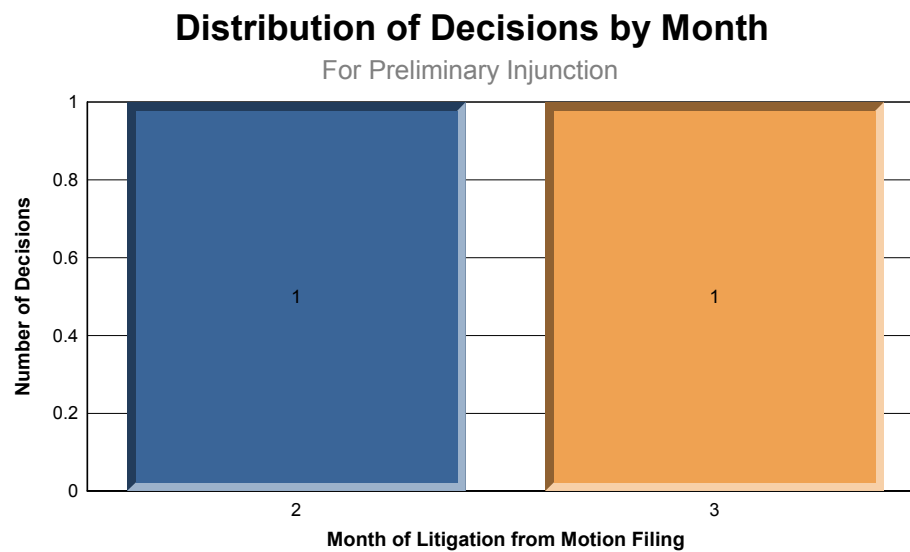


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:03cv03252	Granted in part, Denied in Part	Plaintiff	3.1	6/29/09

Preliminary Injunction

There were 2 Preliminary Injunction contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.8. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

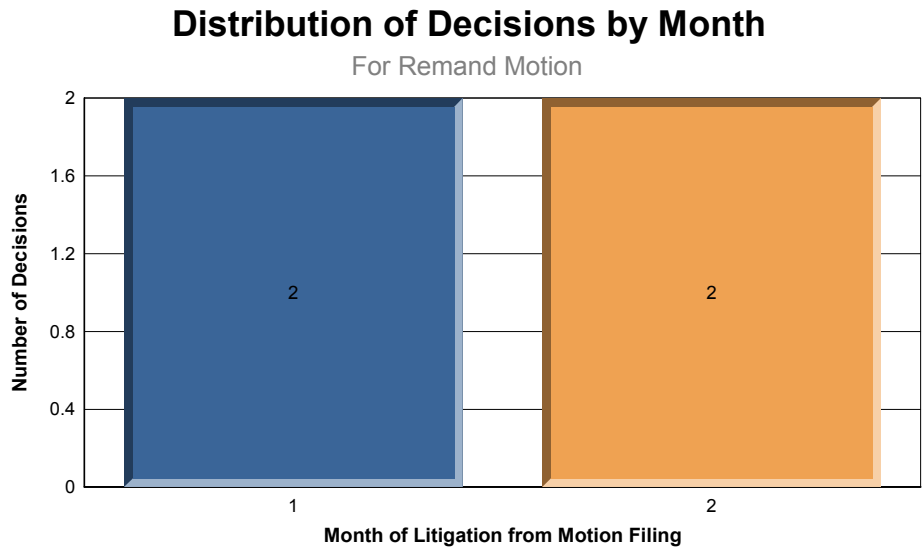


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv03386	Granted	Plaintiff	2.0	11/7/01
3:07cv04975	Granted	Plaintiff	1.6	12/7/07

Remand Motion

There were 4 Remand Motion contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 1.0. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



The supporting data is shown below.

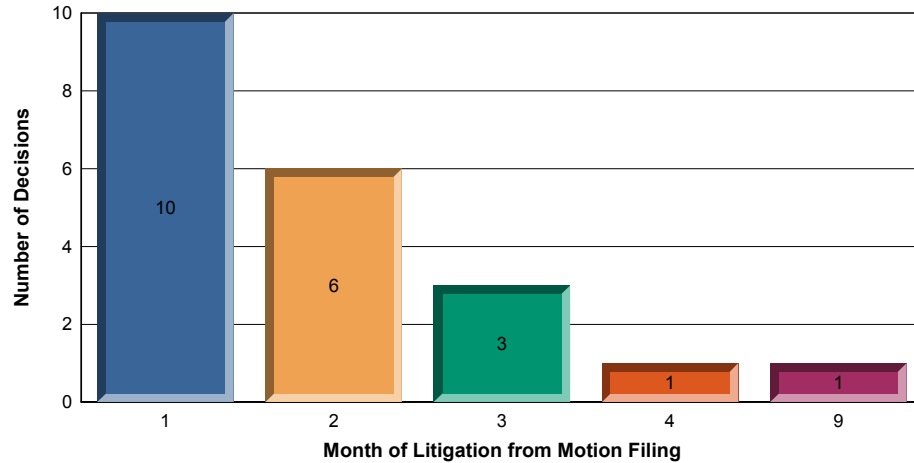
Case Number	Decision	Movant	Pendency	Date of Decision
3:94cv03336	Granted	Plaintiff	0.5	3/31/04
3:94cv03336	Granted	Plaintiff	0.5	3/31/04
3:13cv03666	Granted	Plaintiff	1.6	10/22/13
3:13cv03668	Granted	Plaintiff	1.6	10/22/13

Sanctions/Attorneys Fees

There were 21 Sanctions/Attorneys Fees contested decisions by Judge Alsup. The overall contested win rate on these motions was 61.9%. The average time (in months) from motion filing to decision was 1.6. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

Distribution of Decisions by Month

For Sanctions/Attorneys Fees

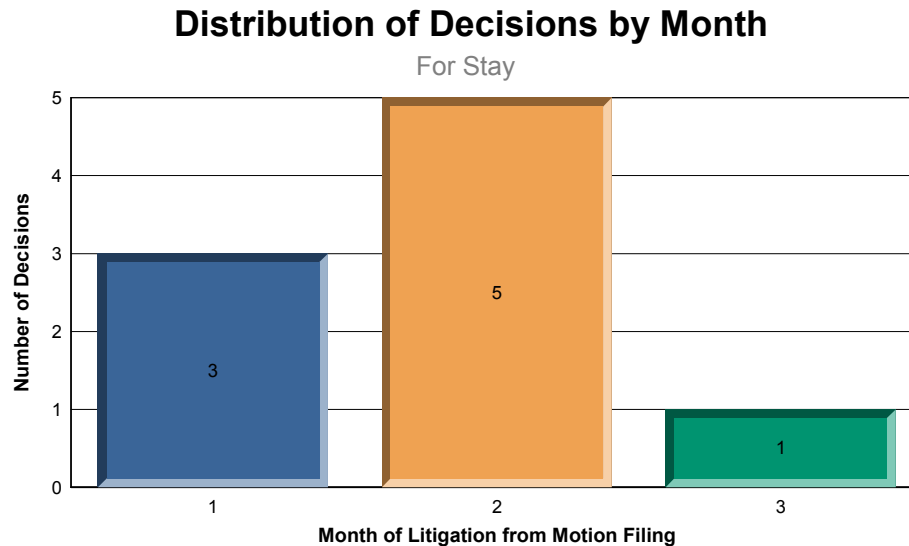


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv01473	Granted	Plaintiff	3.0	1/14/04
3:95cv01144	Granted	Plaintiff	0.6	6/13/00
3:98cv03739	Denied	Defendant	1.8	5/15/01
3:99cv00472	Granted	Plaintiff	1.6	8/24/01
3:99cv01729	Denied	Plaintiff	0.9	5/21/01
3:99cv01729	Granted	Plaintiff	0.9	5/21/01
3:99cv01729	Denied	Plaintiff	0.6	5/21/01
3:99cv01729	Denied	Plaintiff	0.5	5/21/01
3:99cv01729	Denied	Plaintiff	0.3	5/21/01
3:99cv01729	Denied	Plaintiff	0.2	5/21/01
3:95cv02145	Granted	Plaintiff	0.9	11/19/97
3:01cv00719	Granted	Plaintiff	0.5	9/24/03
3:01cv02450	Granted	Plaintiff	1.1	3/13/03
3:03cv04593	Granted	Third Party	1.2	2/18/05
3:03cv04593	Granted	Third Party	0.5	3/2/06
3:05cv04518	Denied	Plaintiff	1.3	1/31/08
3:10cv03588	Granted	Plaintiff	3.4	10/10/12
3:07cv05182	Granted in part, Denied in Part	Plaintiff	2.2	6/22/10
3:08cv01510	Granted	Plaintiff	8.9	4/19/11
3:11cv05386	Granted	Plaintiff	1.5	1/10/14

Stay

There were 9 Stay contested decisions by Judge Alsup. The overall contested win rate on these motions was 38.9%. The average time (in months) from motion filing to decision was 1.1. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

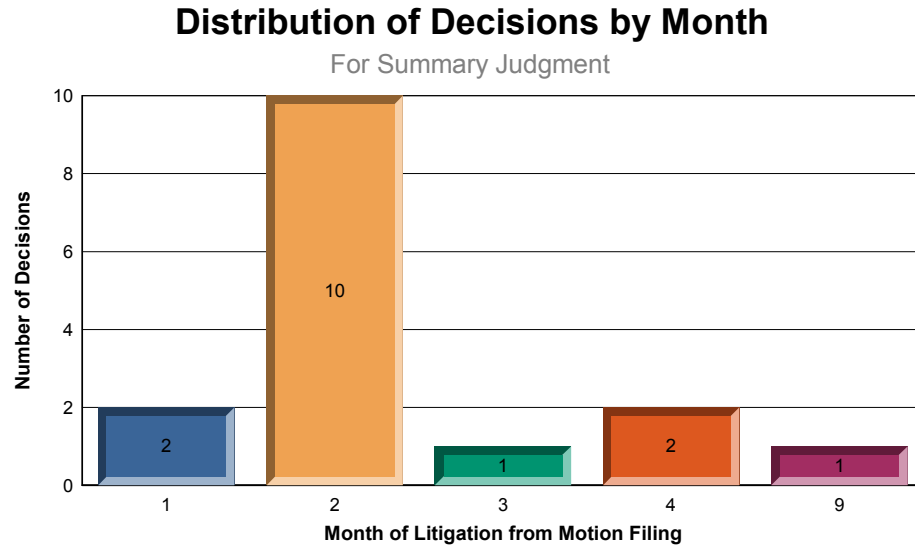


The supporting data is shown below. The table below identifies motion subjects ("What") and grounds ("Why") and includes the designation GIP for those subjects and grounds which were granted in part and denied in part.

Case Number	Decision	Movant	Pendency	Date	What	Why
3:99cv01729	Denied	Plaintiff	0.1	1/31/00		
3:02cv05824	Granted in part, Denied in Part	Third Party	1.5	7/15/03		
3:03cv03252	Granted	Third Party	1.2	8/25/05	Discovery	
3:03cv03252	Granted	Third Party	1.4	8/18/05	Discovery	
3:03cv04593	Granted	Third Party	1.6	2/4/04		
3:07cv05182	Denied	Defendant	2.1	9/24/08	Discovery	
3:07cv05182	Denied	Defendant	0.2	3/1/10		
3:11cv00938	Denied	Defendant	0.7	9/12/13		
3:83cv00711	Denied	Defendant	1.4	4/20/12	Injunction	

Summary Judgment

There were 16 Summary Judgment contested decisions by Judge Alsup. The overall contested win rate on these motions was 46.9%. The average time (in months) from motion filing to decision was 2.2. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



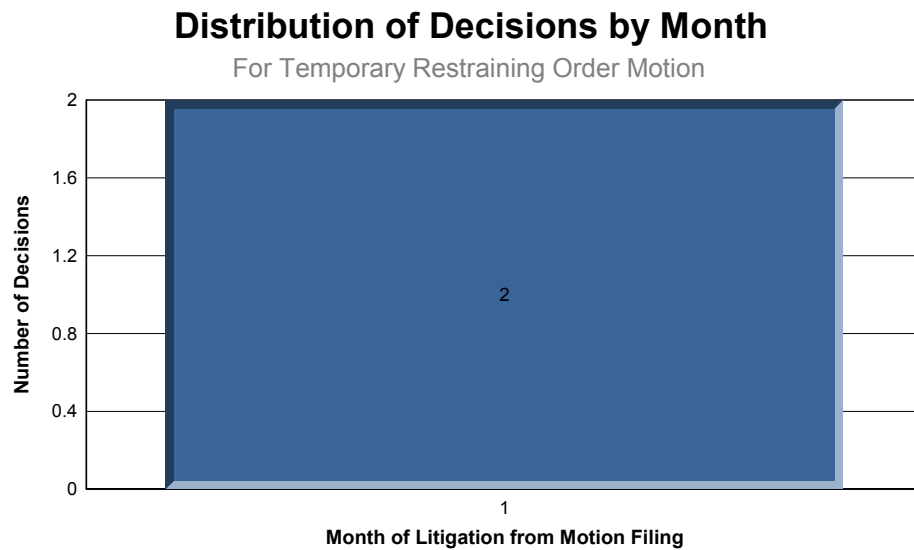
The supporting data is shown below. The table below identifies motion subjects ("What") and grounds ("Why") and includes the designation GIP for those subjects and grounds which were granted in part and denied in part.

Case Number	Decision	Movant	Pendency	Date	What	Why
3:94cv03336	Granted	Plaintiff	3.9	2/18/00		
3:95cv02145	Granted	Plaintiff	3.2	4/11/00		
3:98cv03739	Denied	Defendant	1.7	11/6/00		
3:99cv00789	Denied	Defendant	1.4	9/15/00		
3:94cv03336	Granted	Plaintiff	9.0	2/18/00		
3:03cv04593	Granted in part, Denied in Part	Plaintiff	2.1	9/17/04		
3:03cv03252	Granted	Plaintiff	1.2	5/29/08		
3:07cv02822	Denied	Defendant	0.9	2/13/13		
3:11cv00137	Granted in part, Denied in Part	Defendant	0.9	6/12/12		
3:08cv01510	Denied	Defendant	1.8	4/8/10		
3:08cv01510	Granted in part, Denied in Part	Third Party	1.8	4/8/10		
3:08cv01510	Granted in part, Denied in Part	Plaintiff	1.5	3/30/10		
3:08cv01510	Denied	Plaintiff	1.8	4/8/10		

3:08cv01510	Granted in part, Denied in Part	Defendant	1.5	3/30/10
3:08cv01510	Granted in part, Denied in Part	Plaintiff	1.2	3/30/10
3:08cv01510	Granted in part, Denied in Part	Plaintiff	1.2	3/30/10

Temporary Restraining Order Motion

There were 2 Temporary Restraining Order Motion contested decisions by Judge Alsup. The overall contested win rate on these motions was 100.0%. The average time (in months) from motion filing to decision was 0.0. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.

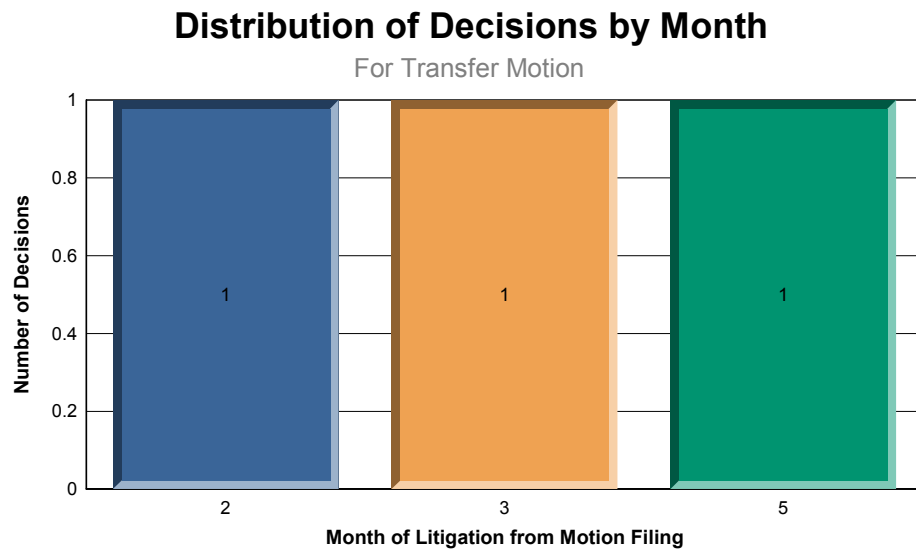


The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:01cv03386	Granted	Plaintiff	0.0	9/6/01
3:03cv04593	Granted	Plaintiff	0.0	10/10/03

Transfer Motion

There were 3 Transfer Motion contested decisions by Judge Alsup. The overall contested win rate on these motions was 0.0%. The average time (in months) from motion filing to decision was 3.0. The distribution of time to decision for the first 12 months of motion pendency is shown below, with any motions remaining pendency after 12 months lumped into month "13". Months with no decisions are not included in the chart. Note that the first month includes all decisions occurring less than 1 month from motion filing.



The supporting data is shown below.

Case Number	Decision	Movant	Pendency	Date of Decision
3:99cv02686	Denied	Plaintiff	4.7	11/12/99
3:03cv04593	Denied	Defendant	1.5	1/9/04
3:12cv00746	Denied	Defendant	2.8	10/5/12