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NOTE: CHANGES MADE BY COURT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DAVID NEILSEN, Individually and
on Behalf of All Others Similarly
Situating,

Plaintiff,

v.

LANTRONIX, INC., PAUL PICKLE,
and JEREMY WHITAKER,

Defendants.

Case No. 8:24-cv-00385-FWS-JDE

**ORDER RE JOINT STIPULATION
APPOINTING ROBERT RATLIFF
AND HANA TOUATI AS CO-LEAD
PLAINTIFFS AND APPROVING
LEVI & KORSINSKY, LLP AND
POMERANTZ LLP AS CO-LEAD
COUNSEL**

Judge: Hon. Fred W. Slaughter
Date: May 23, 2024
Time: 10:00 a.m.
Courtroom: 10D

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1 Having reviewed and considered the Joint Stipulation Appointing Robert
2 Ratliff and Hana Touati as Co-Lead Plaintiffs and Approving Levi & Korsinsky,
3 LLP and Pomerantz LLP as Co-Lead Counsel [30] (“Stipulation”), the files and
4 records of the case, the applicable law, and for the good cause demonstrated in the
5 Stipulation, the court **ORDERS** the following:

- 6
- 7 1. Pursuant to 15 U.S.C. §78u-4(a)(3)(B), Robert Ratliff and Hana Touati
8 are appointed Co-Lead Plaintiffs for the class; and
 - 9
 - 10 2. Pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v), Co-Lead Plaintiffs’
11 selections of Levi & Korsinsky and Pomerantz as Co-Lead Counsel are
12 approved.
 - 13

14 **IT IS SO ORDERED.**

15

16

17 Dated: May 7, 2024



18 _____
19 Hon. Fred W. Slaughter
20 UNITED STATES DISTRICT JUDGE

1 **LEVI & KORSINSKY, LLP**
2 Adam M. Apton (SBN 316506)
3 445 South Figueroa Street, 31st Floor
4 Los Angeles, CA 90071
5 Tel: (213) 985-7290
6 Email: aapton@zlk.com

7 *Attorneys for Lead Plaintiff Movant*
8 *Robert Ratliff and Proposed Co-Lead*
9 *Counsel for the Class*

10 [Additional Counsel on Signature Blocks]

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 DAVID NEILSEN, Individually and
14 on Behalf of All Others Similarly
15 Situated,

16 Plaintiff,

17 v.

18 LANTRONIX, INC., PAUL PICKLE,
19 and JEREMY WHITAKER,

20 Defendants.

No.: 8:24-cv-00385-FWS-JDE

JOINT STIPULATION
APPOINTING ROBERT RATLIFF
AND HANA TOUATI AS CO-LEAD
PLAINTIFFS AND APPROVING
LEVI & KORSINSKY, LLP AND
POMERANTZ LLP AS CO-LEAD
COUNSEL

Judge: Hon. Fred W. Slaughter
Date: May 23, 2024
Time: 10:00 a.m.
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1 WHEREAS, on February 23, 2024, plaintiff David Neilsen commenced the
2 above-captioned action by filing a securities class action complaint on behalf of a
3 purported class of investors in Lantronix, Inc. (“Lantronix”) securities;

4 WHEREAS, Mr. Neilsen’s complaint asserted claims under the Securities
5 Exchange Act of 1934 (“Exchange Act”);

6 WHEREAS, on April 23, 2024, Robert Ratliff moved this Court for
7 appointment as lead plaintiff and approval of his selection of counsel, claiming
8 losses in connection with his purchases of Lantronix securities of \$8,230.26 under
9 the Exchange Act (*see* ECF 24-2);

10 WHEREAS, on April 23, 2024, Hana Touati moved this Court for
11 appointment as lead plaintiff and approval of her selection of counsel, claiming
12 losses in connection with her purchases of Lantronix securities of \$13,193 under
13 the Exchange Act (*see* ECF 28-1);

14 WHEREAS, the Private Securities Litigation Reform Act of 1995
15 (“PSLRA”), 15 U.S.C. §78u-4(a)(3)(B)(iii), provides, *inter alia*, that the most
16 adequate plaintiff to serve as lead plaintiff is, in the determination of the Court, the
17 “person or group of persons” that has the largest financial interest in the relief
18 sought by the class and otherwise satisfies the relevant requirements of Rule 23 of
19 the Federal Rules of Civil Procedure;

20 WHEREAS, Mr. Ratliff and Ms. Touati have provided signed, sworn
21 Certifications in support of their motions for appointment as lead plaintiff setting
22 forth, *inter alia*, their transactions in Lantronix securities;

23 WHEREAS, 15 U.S.C. §78u-4(a)(3)(B)(v) provides that, subject to the
24 approval of the Court, the most adequate plaintiff will select and retain counsel to
25 represent the class, and Mr. Ratliff has selected and retained the law firm of Levi &
26 Korsinsky, LLP (“Levi & Korsinsky”), and Ms. Touati has selected and retained
27 the law firm of Pomerantz LLP (“Pomerantz”), to pursue this litigation on behalf of
28 the class if they are appointed lead plaintiff;

1 WHEREAS, after reviewing each other’s submissions to the Court, Mr.
2 Ratliff and Ms. Touati – as the only movants in contention for appointment as lead
3 plaintiff and as a combination of individuals with the largest financial interests in
4 the relief sought by the class, with Mr. Ratliff claiming losses as a result of
5 purchases of Lantronix securities on November 10, 2023 and Ms. Touati claiming
6 losses as a result of purchases of Lantronix securities on February 8, 2024 – met
7 and conferred and agreed to resolve their competing motions and to seek, with the
8 Court’s approval, to serve jointly as lead plaintiff and for their selection of counsel,
9 the law firms of Levi & Korsinsky and Pomerantz, to serve as lead counsel;

10 WHEREAS, courts within the Ninth Circuit have endorsed stipulations
11 among competing lead plaintiff movants as promoting the statutory purposes of the
12 PSLRA, and have permitted independent lead plaintiff movants to join together
13 where movants “concluded that a protracted dispute concerning lead plaintiff
14 appointment . . . [was] not in the best interests of the class and that jointly
15 prosecuting [the] litigation would be appropriate and assist with the speedy
16 commencement of [the] litigation.” *In re Facebook, Inc. Sec. Litig.*, No. 5:18-cv-
17 01725-EJD, ECF 56 at 2-3 (N.D. Cal. Aug. 3, 2018) (approving stipulation of lead
18 plaintiff movants); *Petersen v. Stem, Inc., et al.*, No. 3:23-cv-02329-MMC, ECF 72
19 (N.D. Cal. Aug. 22, 2023) (appointing co-lead plaintiffs and co-lead counsel
20 pursuant to proposed so-ordered stipulation); *Pizzuto v. Homology Meds., Inc.*, No.
21 2:22-cv-01968-FLA-JPR, ECF 38 (C.D. Cal. July 1, 2022) (same); *Terenzini v.*
22 *GoodRx Holdings, Inc.*, No. 2:20-cv-11444-DOC-PD, ECF 65 (C.D. Cal. Apr. 8,
23 2021) (same); *Zhou v. Faraday Future Intelligent Elec. Inc. f/k/a Prop. Sols.*
24 *Acquisition Corp.*, No. 2:21-cv-09914-CAS-JC, ECF 32-33 (C.D. Cal. Mar. 7,
25 2022) (same);

26 WHEREAS, Defendants take no position with respect to the lead plaintiff
27 motions;

28 IT IS HEREBY STIPULATED AND AGREED, subject to the Court’s

1 approval, as follows:

2 1. Pursuant to 15 U.S.C. §78u-4(a)(3)(B), Mr. Ratliff and Ms. Touati are
3 appointed Co-Lead Plaintiffs for the class; and

4 2. Pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v), Co-Lead Plaintiff's
5 selections of Levi & Korsinsky and Pomerantz as Co-Lead Counsel are approved.

6

7 IT IS SO STIPULATED.

8

9 Dated: May 2, 2024

LEVI & KORSINSKY, LLP

10

ADAM M. APTON (SBN 316506)

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/s/ Adam M. Apton

12

Adam M. Apton

13

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Counsel for Robert Ratliff

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19

20 Dated: May 2, 2024

POMERANTZ LLP

21

JENNIFER PAFITI (SBN 282790)

22

/s/ Jennifer Pafiti

23

JENNIFER PAFITI

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**BRONSTEIN, GEWIRTZ &
GROSSMAN, LLC**
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peretz@bgandg.com

Counsel for Hana Touati

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing. Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), I hereby attest that the other signatory has concurred in this filing's content and has authorized the filing.

/s/ Adam M. Apton
Adam M. Apton

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**UNITED STATES DISTRICT COURT
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on Behalf of All Others Similarly
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and JEREMY WHITAKER,

Defendants.

No.: 8:24-cv-00385-FWS-JDE

**[PROPOSED] ORDER GRANTING
JOINT STIPULATION
APPOINTING ROBERT RATLIFF
AND HANA TOUATI AS CO-LEAD
PLAINTIFFS AND APPROVING
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Before the Court is the parties’ Joint Stipulation Appointing Robert Ratliff and Hana Touati as Co-Lead Plaintiffs and Approving Levi & Korsinsky, LLP and Pomerantz LLP as Co-Lead Counsel (“Joint Stipulation”). Having reviewed the stipulation and finding good cause, the Court GRANTS the Joint Stipulation:

1. Pursuant to 15 U.S.C. §78u-4(a)(3)(B), Robert Ratliff and Hana Touati are appointed Co-Lead Plaintiffs for the class; and
2. Pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v), Co-Lead Plaintiffs’ selections of Levi & Korsinsky and Pomerantz as Co-Lead Counsel are approved.

IT IS SO ORDERED.

DATED: _____

HONORABLE FRED W. SLAUGHTER
UNITED STATES DISTRICT COURT JUDGE