

MDL 1889

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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on
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Jan 02, 2008
FILED
CLERK'S OFFICE

**IN RE: PEREGRINE SYSTEMS, INC.,
SECURITIES LITIGATION**

MDL No. 1889

TRANSFER ORDER

Before the entire Panel^{*}: Defendant Arthur Andersen LLP and the New Jersey plaintiff have jointly moved, pursuant to 28 U.S.C. § 1407, to centralize this litigation for coordinated or consolidated pretrial proceedings in the Southern District of California. No party has responded to the motion.

This litigation presently consists of 35 actions listed on Schedule A and pending in two districts as follows: 34 actions in the Southern District of California and one action in the District of New Jersey.

After considering the argument of counsel, we find that the actions in this litigation involve common questions of fact, and that centralization under Section 1407 in the Southern District of California will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. All actions share factual questions arising out of alleged misrepresentations or omissions relating to improper accounting practices at Peregrine Systems, Inc., between 2000-02. Centralization under Section 1407 will eliminate duplicative discovery; avoid inconsistent pretrial rulings; and conserve the resources of the parties, their counsel and the judiciary.

We further find that the Southern District of California is an appropriate transferee district for this litigation, because (1) 34 of the 35 actions are already pending there, (2) relevant documents and witnesses are likely in proximity to Peregrine Systems, Inc.'s former headquarters in San Diego, California, and (3) the Section 1407 motion proposing selection of this district is unopposed.

^{*} Judge Scirica took no part in the disposition of this matter.

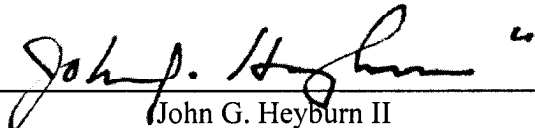
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PLEADING NO. - 9

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the action listed on Schedule A and pending in the District of New Jersey is transferred to the Southern District of California and, with the consent of that court, assigned to the Honorable Roger Benitez for coordinated or consolidated pretrial proceedings with the actions pending there and listed on Schedule A.

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II
Chairman

D. Lowell Jensen
Robert L. Miller, Jr.
David R. Hansen

J. Frederick Motz
Kathryn H. Vratil
Anthony J. Scirica*

SCHEDULE A

Southern District of California

Alan Marshall, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-870
Richard Bowe v. Peregrine Systems, Inc., et al., C.A. No. 3:02-871
Joel A. Gerber v. Peregrine Systems, Inc., et al., C.A. No. 3:02-882
Peter Ahrens v. Peregrine Systems, Inc., et al., C.A. No. 3:02-885
Blake Halberg v. Peregrine Systems Inc., et al., C.A. No. 3:02-886
Chris Martin v. Peregrine Systems, Inc, et al., C.A. No. 3:02-887
Ira Gaines v. Peregrine Systems, Inc., et al., C.A. No. 3:02-890
Jeff Michon, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-891
Peter J. Krinsky v. Peregrine Systems, Inc., et al., C.A. No. 3:02-902
Jonathan D. Layes v. Peregrine Systems, Inc., et al., C.A. No. 3:02-906
Alan Berkowitz v. Peregrine Systems, Inc., et al., C.A. No. 3:02-921
Mendel Spiegel, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-926
Gabriel West v. Peregrine Systems, Inc., et al., C.A. No. 3:02-951
Randy Lee v. Peregrine Systems, Inc., et al., C.A. No. 3:02-979
Henry Frankel v. Peregrine Systems, Inc., et al., C.A. No. 3:02-996
Richard Schleicher v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1002
Anthony Boarman v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1010
Eric P. Daniels v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1011
Donna Murray v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1022
Stephen Anish v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1047
Robert Renzi v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1060
Craig McCarthy v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1061
Stoneridge Investment Partners, LLC v. Peregrine Systems, Inc., et al.,
C.A. No. 3:02-1073
Heywood Waga v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1095
Michael J. Farrell v. Peregrine Systems, et al., C.A. No. 3:02-1120
Mateo Camarillo, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1168
Congregation Bais Avrohom v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1174
Katy Cox Johnson v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1176
Alan Hylton v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1207
Janet Kusmierski, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1208
Michele Voth, et al. v. Peregrine Systems, Inc., et al., C.A. No. 3:02-1238
Blair Alexander v. Matthew C. Gless, et al., C.A. No. 3:02-1242
Felix Lecocq v. Peregrine Systems, Inc., et al., C.A. No. 3:02-2550
William V. Alesi v. Matthew C. Gless, et al., C.A. No. 3:03-57

District of New Jersey

David Hildes, etc. v. Arthur Andersen, LLP, et al., C.A. No. 2:07-393