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

12 NICK PATTERSON, Individually and on
13 Behalf of All Others Similarly Situated,

14 Plaintiff,

15 v.

16 TERRAFORM LABS, PTE. LTD., JUMP
17 CRYPTO, JUMP TRADING LLC, REPUBLIC
18 CAPITAL, REPUBLIC MAXIMAL LLC,
19 TRIBE CAPITAL, DEFINANCE CAPITAL/
20 DEFINANCE TECHNOLOGIES OY,
21 GSR/GSR MARKETS LIMITED, THREE
22 ARROWS CAPITAL PTE. LTD., NICHOLAS
23 PLATIAS, and DO KWON,

24 Defendants.

Case No. 5:22-cv-03600

**NOTICE OF MOTION AND MOTION
OF NICK PATTERSON FOR
APPOINTMENT AS LEAD PLAINTIFF
AND APPROVAL OF LEAD COUNSEL;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT THEREOF**

Date: December 15, 2022
Time: 9:00 a.m.
Courtroom.: Courtroom 3, 5th Floor
Judge: Hon. Beth Labson Freeman

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TABLE OF CONTENTS

NOTICE OF MOTION AND MOTION1

STATEMENT OF THE ISSUES TO BE DECIDED.....1

MEMORANDUM OF POINTS AND AUTHORITIES2

 I. INTRODUCTION2

 II. FACTUAL BACKGROUND.....3

 III. ARGUMENT.....5

 A. Patterson Should Be Appointed Lead Plaintiff.....5

 1. Patterson’s Motion Is Timely.....5

 2. Patterson Has the Largest Financial Stake in the Relief
 Sought by the Class.....5

 3. Patterson Is Otherwise Qualified Under Rule 23.....7

 B. The Court Should Approve Patterson’s Choice of Counsel9

 C. Scott+Scott Should Be Appointed as Lead Counsel over the Non-
 Securities Claims10

 IV. CONCLUSION.....12

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Cohen v. U.S. Dist. Ct. for N. Dist. of Cal.</i> , 586 F.3d 703 (9th Cir. 2009)	9
<i>Combs, et. al., v. Safemoon, LLC</i> , No. 2:22-cv-01108-SVW-MRW (C.D. Cal) (ECF No. 52).....	11
<i>Cornwell v. Credit Suisse Grp.</i> , No. 08-cv-03758, 2011 WL 13263367 (S.D.N.Y. July 20, 2011).....	9
<i>Feyko v. Yuhe Int’l Inc.</i> , No. CV 11-05511, 2012 WL 682882 (C.D. Cal. Mar. 2, 2012)	6
<i>In re AT&T Mobility Wireless Data Servs. Tax Litig.</i> , MDL No. 2147, ECF No. 47 (N.D. Ill. June 23, 2010)	11
<i>In re Cavanaugh</i> , 306 F.3d 726 (9th Cir. 2002)	2, 6, 9
<i>In re Cendant Corp. Litig.</i> , 264 F.3d 201 (3d Cir. 2001).....	9
<i>In re Facebook, Inc., IPO Sec. and Deriv. Litig.</i> , 288 F.R.D. 26 (S.D.N.Y. 2012)	11
<i>In re Interest Rate Swaps Antitrust Litig.</i> , No. 16-MD-2704, 2016 WL 4131846 (S.D.N.Y. Aug. 3, 2016).....	11
<i>In re Olsten Corp. Sec. Litig.</i> , 3 F. Supp. 2d 286 (E.D.N.Y. 1998)	6
<i>In re Terazosin Hydrochloride</i> , 220 F.R.D. 672 (S.D. Fla. 2004).....	11
<i>Knox v. Yingli Green Energy Holding Co. Ltd.</i> , 136 F. Supp. 3d 1159 (C.D. Cal. 2015)	6
<i>Lax v. First Merchs. Acceptance Corp.</i> , No. 97 C 2715, 1997 WL 461036 (N.D. Ill. Aug. 11, 1997).....	6
<i>Miami Police Relief & Pension Fund v. Fusion-io, Inc.</i> , No. 13-CV-05368, 2014 WL 2604991 (N.D. Cal. June 10, 2014).....	5
<i>Richardson v. TVIA, Inc.</i> , No. C 06 06304, 2007 WL 1129344 (N.D. Cal. Apr. 16, 2007).....	6

1	<i>Russo v. Finisair Corp.</i> ,	
2	No. 5:CV11-01252, 2011 WL 5117560 (N.D. Cal. Oct. 27, 2011).....	8
3	<i>Westley v. Oclaro, Inc.</i> ,	
4	No. C-11-2448, 2011 WL 4079178 (N.D. Cal. Sept. 12, 2011).....	7, 8
5	Statutes, Rules, and Regulations	
6	15 U.S.C.	
7	§77z-1(a)(3)(A)(i)	5
8	§77z-1(a)(3)(A)(i)(II).....	5
9	§77z-1(a)(3)(A)-(B)	5
10	§77z-1(a)(3)(B)	2, 7
11	§77z-1(a)(3)(B)(i)	6
12	§77z-1(a)(3)(B)(iii)	2
13	§77z-1(a)(3)(B)(iii)(I)(bb)	6
14	§77z-1(a)(3)(B)(iii)(I)(cc).....	7
15	§77z-1(a)(3)(B)(iii)(II)(aa)	9
16	§77z-1(a)(3)(B)(v)	2, 9
17	§78u-4(a)(3)(B).....	1
18	§78u-4(a)(3)(B)(v)	2
19	Securities Act of 1933	
20	§5.....	3
21	§12(a)(1)	3
22	§15.....	3
23	Securities Exchange Act of 1934	
24	§10(b).....	3
25	Federal Rules of Civil Procedure	
26	Rule 23	<i>passim</i>
27	Rule 23(a).....	7
28	Rule 23(a)(3).....	8
	Rule 23(g)(1)(A)	11
	Other Authorities	
	MANUAL FOR COMPLEX LITIGATION	
	§10.221.....	10
	§10.224.....	11
	NEWBERG ON CLASS ACTIONS (4th ed. 2008)	
	§3:13	8

1 **NOTICE OF MOTION AND MOTION**

2 TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD

3 PLEASE TAKE NOTICE that Lead Plaintiff movant Nick Patterson (“Patterson” or
4 “Movant”), by and through his undersigned counsel, hereby moves this Court before the Honorable
5 Beth Labson Freeman in Courtroom 3, 5th Floor, of the U.S. District Court for the Northern
6 District of California, San Jose Courthouse, 80 South 1st Street, San Jose, California 95113, on
7 December 15, 2022, at 9:00 a.m., or as soon thereafter as the matter may be heard, for the entry of
8 an order: (1) appointing Patterson as Lead Plaintiff for the putative Class, pursuant to §21D of the
9 Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. §78u-4(a)(3)(B), as amended by
10 the Private Securities Litigation Reform Act of 1995 (“PSLRA”); (2) approving his selection of
11 Scott+Scott Attorneys at Law LLP (“Scott+Scott”) as Lead Counsel for the putative Class; and
12 (3) appointing Scott+Scott as lead counsel over the non-securities claims asserted in the complaint.

13 This motion is made on the grounds that Patterson timely filed this motion and is the “most
14 adequate plaintiff.” Based on the information presently available, Patterson has the largest
15 financial interest in the relief sought by the Class amongst movants for lead plaintiff, meets the
16 requirements of Rule 23 of the Federal Rules of Civil Procedure (“Rule 23”), as his claims are
17 typical of the claims of the Class, and he will fairly and adequately represent the interests of the
18 Class. In addition, Patterson has selected and retained Scott+Scott, a law firm with substantial
19 experience in prosecuting securities class actions, to serve as Lead Counsel.

20 This motion is based on this notice of motion and memorandum of points and authorities
21 herein, the Declaration of John T. Jasnoch (“Jasnoch Decl.”) filed concurrently herewith and in
22 support hereof, including Exhibits A-C attached thereto, the pleadings and other files and records
23 previously entered in these actions, and such other written or oral argument as may be presented
24 to the Court.

25 **STATEMENT OF THE ISSUES TO BE DECIDED**

26 1. Whether the Court should appoint Patterson as Lead Plaintiff pursuant to 15 U.S.C.
27 §78u-4(a)(3)(B).

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