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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRED WERNER,

No C-00-4263 VRW

Plaintiff,

ORDER

v

No C-00-4264 VRW

No C-00-4274 VRW

QUINTUS CORPORATION, ALAN

No C-00-4276 VRW

ANDERSON, PAUL BARTLETT, SUSAN

No C-00-4294 VRW

SALVESON,

No C-00-4300 VRW

No C-00-4308 VRW

Defendants.

No C-00-4313 VRW

No C-00-4343 VRW

No C-00-4346 VRW

No C-00-4381 VRW

No C-00-4390 VRW

No C-00-4392 VRW

AND RELATED MATTERS

No C-00-4504 VRW

No C-00-4528 VRW

No C-00-4650 VRW

No C-00-4678 VRW

No C-00-4771 VRW

No C-01-0093 VRW

No C-01-0096 VRW

No C-01-0262 VRW

No C-01-0270 VRW

No C-01-0932 VRW

No C-01-20176 PVT

Before the court are two motions to consolidate (Docs #8-3 & 18-1). At the March 8, 2001, hearing the parties agreed that these cases should be consolidated. The court agrees. The complaints allege common questions of law and fact.

1 Consolidation under FRCP 42(a) is appropriate.

2           The following actions are consolidated for all  
3 purposes, including, but not limited to, discovery, pretrial  
4 proceedings and trial proceedings pursuant to Rule 42(a) of the  
5 Federal Rules of Civil Procedure:

6	<b>ABBREVIATED CASE NAME</b>	<b>CASE NUMBER</b>	<b>DATE FILED</b>
7	<u>Werner v Quintus Corp, et al</u>	C-00-4263-VRW	11/15/00
8	<u>Weiss v Quintus Corp, et al</u>	C-00-4264-VRW	11/15/00
9	<u>Lemieux v Quintus Corp, et al</u>	C-00-4274-VRW	11/16/00
10	<u>Civic v Quintus Corp, et al</u>	C-00-4276-VRW	11/16/00
11	<u>Tuopshug v Quintus Corp, et al</u>	C-00-4294-VRW	11/16/00
12	<u>Fershteyn v Quintus Corp, et al</u>	C-00-4300-VRW	11/16/00
13	<u>Alves v Quintus Corp, et al</u>	C-00-4308-VRW	11/17/00
14	<u>Kaplowitz v Quintus Corp, et al</u>	C-00-4313-VRW	11/17/00
15	<u>O'Neil v Quintus Corp, et al</u>	C-00-4343-VRW	11/20/00
16	<u>Khalil v Quintus Corp, et al</u>	C-00-4346-VRW	11/20/00
17	<u>Tick v Quintus Corp, et al</u>	C-00-4381-VRW	11/22/00
18	<u>Zanowiak v Quintus Corp, et al</u>	C-00-4390-VRW	11/22/00
19	<u>Miller v Quintus Corp, et al</u>	C-00-4392-VRW	11/22/00
20	<u>Tan v Quintus Corp, et al</u>	C-00-4504-VRW	12/01/00
21	<u>Yu v Quintus Corp, et al</u>	C-00-4528-VRW	12/04/00
22	<u>Magnan v Quintus Corp, et al</u>	C-00-4650-VRW	12/12/00
23	<u>Dutt v Quintus Corp, et al</u>	C-00-4678-VRW	12/14/00
24	<u>Klapper v Quintus Corp, et al</u>	C-00-4771-VRW	12/22/00
25	<u>Rost v Quintus Corp, et al</u>	C-01-0093-VRW	11/21/00
26	<u>Rubel v Quintus Corp, et al</u>	C-01-0096-VRW	01/09/01
27	<u>Anderson v Quintus Corp, et al</u>	C-01-0262-VRW	01/12/01
28	<u>Micnaud v Quintus Corp, et al</u>	C-01-0270-VRW	01/16/01
	<u>Berdakina v Quintus Corp, et al</u>	C-01-0932-VRW	11/17/00
	<u>Jamison v Quintus Corp, et al</u>	C-01-20176-PVT	12/08/00



1 document is intended to be applicable and the last name of the  
2 first-named plaintiff in said action shall appear immediately  
3 after the words "This Document Relates To:" in the caption  
4 described above, e g, "This Document Relates To: Tan, Case No C-  
5 00-4504-VRW."

6 From the date of entry of this order, the parties shall  
7 comply with 15 USC § 78u-4(b)(3)(C)(i), without regard to  
8 whether a stay under 15 USC § 78u-4(b)(3)(B) is in effect, and  
9 shall comply with 15 USC § 78u-4(b)(3)(C)(i)'s provisions  
10 concerning documents relevant to allegations contained in any  
11 and all of the pleadings in these actions, including any  
12 consolidated complaint.

13 Unless otherwise agreed between the parties, lead  
14 plaintiff shall file a consolidated class action complaint no  
15 later than 60 days from the date of final selection of lead  
16 plaintiff and counsel. The consolidated class action complaint  
17 shall be treated as if it were the original complaint, and all  
18 defendants shall have 45 days after the filing and service of  
19 the consolidated class action complaint to answer or otherwise  
20 respond. Notwithstanding the filing of the consolidated class  
21 action complaint pursuant to FRCP 15(a), in the event that  
22 defendants file any motions directed at the consolidated class  
23 action complaint, counsel are to meet and confer and report to  
24 the court with regard to an acceptable briefing and hearing  
25 schedule for such motions. The briefing  
26 schedule, however, shall be governed by the local rules unless  
27 the court orders otherwise.  
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IT IS SO ORDERED.

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VAUGHN R WALKER  
United States District Judge