

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

In re Enovix Corporation Securities Litigation

In re Enovix · No. 23-cv-00071-SI · Decided July 8, 2025

SUMMARY

The United States District Court for the Northern District of California held that discovery remains open during the pendency of defendants’ motion for partial judgment on the pleadings. The court concluded that the Private Securities Litigation Reform Act’s automatic discovery stay does not apply because the court had sustained the legal sufficiency of portions of the operative complaint and some portion of the case would proceed regardless.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
IN RE: ENOVIX CORP. SECURITIES Case No. 23-cv-00071-SI 8 LITIGATION 9 ORDER RE:
DISCOVERY STAY 0 Re: Dkt. Nos. 178, 180 11 12 5 13 The Court has reviewed the letters from
the parties, Dkt. Nos. 178 and 180, and the relevant S 14 || law. See 15 U.S.C. § 78u-4(b)(3)(B).
This order hereby notifies the parties that discovery remains 3 15 || open during the pendency of
defendants’ motion for partial judgment on the pleadings.

Following a 16 || two rounds of motions to dismiss, the Court has already “sustained the legal
sufficiency” of at least = 17 some of the operative complaint. See *Powers v. Eichen*, 961 F. Supp.
233, 236 (S.D. Cal. 1997) 18 || (recounting legislative history of Private Securities Litigation
Reform Act). And because defendants 19 || have moved for partial judgment on the pleadings,
some portion of this case will move forward 20 || regardless.

In these circumstances, the Court agrees with plaintiffs that the PSLRA’s automatic 21 || discovery
stay does not apply. See *In re Facebook, Inc. Secs. Litig.*, No. 18-cv-01725-EJD, at *1-2 22 ||
(N.D. Cal. Feb. 19, 2025) (after multiple motions to dismiss and a complaint sustained on appeal,
23 || ordering that discovery proceed in parallel with any future motion for judgment on the
pleadings, 24 || notwithstanding the PSLRA’s automatic discovery stay).

25 IT IS SO ORDERED. 26 || Dated: July 8, 2025 Site WU tee 27 SUSAN ILLSTON 28 United
States District Judge