

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

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