

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

TERRENCE ROBY, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

OCEAN POWER TECHNOLOGIES, INC.
and CHARLES DUNLEAVY,

Defendants.

Civil Action No. 14-CV-3799 (FLW) (LHG)

CLASS ACTION

YOKE M. CHEW and ZHI Y. CHAN,
Individually And On Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

OCEAN POWER TECHNOLOGIES,
INC., CHARLES DUNLEAVY, and
MARK A. FEATHERSTONE,

Defendants.

Civil Action No. 14-cv-3815 (FLW) (DEA)

CLASS ACTION

CONSTANTINE KONSTANTINIDIS,
Individually And On Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

OCEAN POWER TECHNOLOGIES, INC.
and CHARLES DUNLEAVY,

Defendants.

Civil Action No. 14-cv-4015 (FLW) (DEA)

CLASS ACTION

BERNARD TURNER, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

OCEAN POWER TECHNOLOGIES,
INC., CHARLES DUNLEAVY, and
MARK A. FEATHERSTONE,

Defendants.

Civil Action No. 14-cv-4592 (FLW) (TJB)

CLASS ACTION

ORDER

**ORDER CONSOLIDATING CASES, APPOINTING LEAD PLAINTIFF
AND APPROVING OF SELECTION OF COUNSEL**

This matter having been opened to the court by James E. Cecchi, Esq., counsel for plaintiffs Yoke M. Chew and Zhi Y. Chan, and movant Yew T. Ng (“Chew et al.”); Eduard Korsinsky, Esq., counsel for movant FiveMore Special Situations Fund. Ltd.; Peter S. Pearlman, Esq., counsel for plaintiff Bernard Turner (“Turner”); Laurence M. Rosen, Esq., counsel for movant Doug Labare (“Labare”); and Bruce Daniel Greenberg, Esq., counsel for plaintiff Constantine Konstantinidis and movants Jeremy Kan and Alwin Mulyono (“Konstantinidis et al.”), on motions for consolidation, appointment of lead plaintiff, and appointment of lead counsel filed by the several plaintiffs and movants in these cases; the Court having reviewed the moving, opposition, and reply papers, and for the reasons set forth in the opinion filed on this date, pursuant to Fed. R. Civ. P. 78, and good cause being shown:

IT IS ON THIS ___ day of March, 2015

ORDERED AS FOLLOWS:

1. *Roby v. Ocean Power*, Civ. No. 14-3799, *Chew et al. v. Ocean Power*, Civ. No. 14-3815, *Konstantinidis v. Ocean Power*, Civ. No. 14-4015, *Turner v. Ocean Power*, Civ. No. 14-4592, are hereby consolidated for all purposes;

2. These actions shall be referred to herein as the “Consolidated Actions.” This Order shall apply to the Consolidated Actions and to any case that is subsequently filed in this Court that relates to the same subject matter as the Consolidated Actions;
3. Every pleading in this Action shall bear the following Caption:

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE OCEAN POWER TECHONOLOGIES, INC. SECURITIES LITIGATION <hr style="width: 50%; margin-left: 0;"/>	Civil Action No. 14-3799 (FLW) (LHG)
THIS DOCUMENT RELATES TO:	<u>CLASS ACTION</u>
ALL ACTIONS	[TITLE OF DOCUMENT]

4. Movant FiveMore Special Situations Fund Ltd. is hereby appointed Lead Plaintiff.
5. The law firm of Levi & Korsinsky LLP is hereby appointed as Lead Counsel in this action.
6. The motions for appointment of lead plaintiff and lead counsel by movants Chew et al., Turner, and Konstantinidis et al., are hereby deemed to have been withdrawn.
7. The motion for appointment of lead plaintiff by movant Labare is hereby denied.
8. Lead Plaintiff is permitted to file an Amended Class Action Complaint within sixty days of the date of this Order; if an Amended Complaint is filed, Defendant Ocean Power is permitted to answer or move to dismiss the Amended Class Action Complaint within sixty (60) days of the filing of the Amended Complaint; if no Amended Complaint is filed, Defendant shall have sixty (60) days after the

deadline to file an Amended Complaint has passed to answer, move, or otherwise respond to the original Complaint; in the event that Defendant responds to the Complaint or Amended Complaint by motion, Lead Plaintiff is permitted to file any opposition within forty-five (45) days following the date such motions are filed; Defendant is permitted to file any reply papers within twenty (20) days following the date Lead Plaintiff files any opposition papers.

/s/ Freda L. Wolfson

HON. FREDA L. WOLFSON, U.S.D.J.

DATED: March 17, 2015