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E-FILED on 4/18/03

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ATUL BHAGAT,

Defendant.

No. C-01-21073 RMW

ORDER GRANTING PLAINTIFF'S MOTION
FOR PARTIAL SUMMARY JUDGMENT

[Re Docket No. 31]

Currently before the court is plaintiff's motion for partial summary judgment. Plaintiff argues that under the doctrine of collateral estoppel, defendant's previous conviction for insider trading, *see United States v. Bhagat*, CR 01-20173 RMW, establishes his liability for insider trading in the instant civil suit. Having considered plaintiff's motion and defendant's opposition thereto, the court agrees with plaintiff. The motion for partial summary judgment is granted.

The court will issue a case management order separately.

DATED: 4/18/03

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

