

13 CIV 7972

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VU TRAN, Individually and on Behalf of All
Others Similarly Situated,

Civil Action No. _____

Plaintiff,

CLASS ACTION

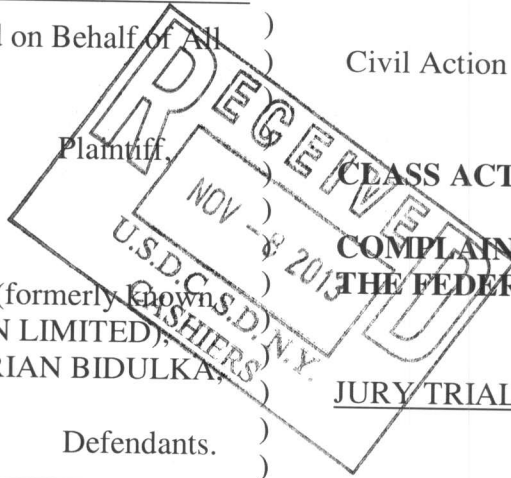
v.

**COMPLAINT FOR VIOLATIONS OF
THE FEDERAL SECURITIES LAWS**

BLACKBERRY LIMITED (formerly known as
RESEARCH IN MOTION LIMITED),
THORSTEN HEINS and BRIAN BIDULKA,

Defendants.

JURY TRIAL DEMANDED



Plaintiff, Vu Tran (“Plaintiff”), individually and on behalf of all others similarly situated, alleges the following against BlackBerry Limited (formerly known as Research In Motion Limited)¹ (“BlackBerry” or the “Company”), Thorsten Heins, and Brian Bidulka (collectively the “Defendants”). Plaintiff makes these allegations upon personal knowledge as to those allegations concerning Plaintiff and, as to all other matters, upon his counsel’s investigation, which includes without limitation: (a) review and analysis of regulatory filings made by BlackBerry with the United States Securities and Exchange Commission (“SEC”); (b) review and analysis of press releases and media reports issued by and disseminated by BlackBerry; and (c) review of other publicly available information concerning BlackBerry.

NATURE OF THE ACTION

1. This is a federal securities class action brought on behalf of purchasers of BlackBerry’s securities between September 27, 2012 and September 20, 2013, inclusive (the “Class Period”), seeking to pursue remedies under §§10(b) and 20(a) of the Securities Exchange

¹ On July 10, 2013, the Company changed its name from Research in Motion Limited (“RIM”) to BlackBerry Limited.

Act of 1934 (the “Exchange Act”).

2. Defendant BlackBerry is a designer, manufacturer, and marketer of wireless solutions for the worldwide mobile communications market. The Company provides platforms and solutions for access to email, voicemail, instant messaging, short message service, Internet and Intranet-based applications, and browsing through the development of integrated hardware, software, and services.

3. As detailed below, BlackBerry fed its investors a series of materially false and misleading statements during the Class Period that Defendants knew and/or recklessly disregarded were materially false and misleading at the time of publication, and that omitted to reveal material information necessary to make Defendants’ statements, in light of such omissions, not materially false and misleading. Specifically, the Company failed to inform investors that, contrary to Defendants’ statements touting the Company’s new BlackBerry 10 line of smart phones and the financial strength of BlackBerry, the Company was not on the road to recovery and re-emerging as a lead player in the wireless communications industry. In reality, the BlackBerry 10 was not well-received by the market, and the Company was forced to write down a nearly \$1 billion charge related to unsold BlackBerry 10 devices and layoff approximately 4,500 employees, totaling approximately 40% of its total workforce.

4. Through Class Period filings Defendants were able to, among other things, (a) deceive the investing public regarding the BlackBerry 10 smartphone driving the recovery and revitalization of BlackBerry; (b) deceive the investing public regarding BlackBerry’s business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock; and (c) cause Plaintiff and other members of the Class to purchase BlackBerry common stock at artificially inflated prices.

5. On September 20, 2013 that the Company announced the true state of BlackBerry, its charges and layoffs, stating that it expected to report a net operating loss of between \$950 million and \$995 million in the quarter ended August 31, due to writedowns and other factors, and that it will cut more than a third of its global workforce.

6. On this news, BlackBerry stock plummeted from a closing price of \$10.52 per share on September 19, 2013 to a close of \$8.73 per share on September 20, 2013, after experiencing an intra-day low of \$8.19, on heavy trading volume. The value of BlackBerry stock continued to slide on heavy trading volume over the next few days as investors digested the bad news, and closed at \$8.01 on September 25, 2013.

7. As a result of Defendants' materially false and misleading statements, BlackBerry common stock traded at artificially inflated prices throughout the Class Period, closing at a high during the Class Period of \$17.90 per share on January 22, 2013.

8. As a result of Defendants' wrongful acts, false and misleading statements and omissions, and the precipitous decline in the market value of the Company's securities upon disclosure of the truth, Plaintiff and other Class members have suffered significant losses and damages.

JURISDICTION AND VENUE

9. This action arises under Sections 10(b) and 20(a) of the Exchange Act [15 U.S.C. §§ 78j(b) and 78t(a)], and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b 5].

10. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §1331 and Section 27 of the Exchange Act (15 U.S.C. § 78aa).

11. Venue is proper in this Judicial District pursuant to Section 27 of the Exchange Act and 28 U.S.C. §1391(b). Many the acts and conduct complained of herein, including the

dissemination of materially false and misleading information to the investing public, occurred in substantial part in this District. The violations of law complained of herein occurred in part in the District, including the dissemination of materially false and misleading statements into this District. BlackBerry maintains its principal place of business at 295 Phillip Street, Waterloo, Ontario, Canada.

12. In connection with the acts and omissions alleged in this complaint, Defendants, directly or indirectly, used the means and instrumentalities of interstate commerce, including, but not limited to, the mails, interstate telephone communications, and the facilities of the national securities markets.

THE PARTIES

13. Plaintiff, Vu Tran, purchased BlackBerry common stock during the Class Period as set forth in the Certification attached and incorporated herein by reference and was damaged thereby.

14. Defendant BlackBerry is incorporated under the laws of Canada, maintaining its principal place of business 95 Phillip Street, Waterloo, Ontario, Canada, N2L 3W8. BlackBerry is a designer, manufacturer and marketer of wireless solutions, through the development of integrated hardware, software, and services.

15. Defendant Thorsten Heins (“Heins”) is and was, during the Class Period, the Chief Executive Officer (“CEO”) and President of BlackBerry. Heins has also served as a member of the Board of Directors since January 2012. Heins personally certified all financial reports during the Class Period.

16. Defendant Brian Bidulka (“Bidulka”) is and was, during the Class Period, Chief Financial Officer (“CFO”) of BlackBerry. Bidulka personally certified all financial reports

during the Class Period.

17. Collectively and throughout this Complaint, BlackBerry, Heins and Bidulka are referred to as “Defendants.”

18. Defendants Heins and Bidulka are collectively referred to hereinafter as the “Individual Defendants.”

19. During the Class Period, the Individual Defendants were privy to confidential, proprietary and material adverse non-public information concerning BlackBerry via access to internal corporate documents, conversations and connections with other corporate officers and employees, attendance at management and/or board of directors meetings and committees thereof, and via reports and other information provided to them in connection therewith. Because of their possession of such information, the Individual Defendants knew or recklessly disregarded that the adverse facts specified herein had not been disclosed to, and were being concealed from, the investing public.

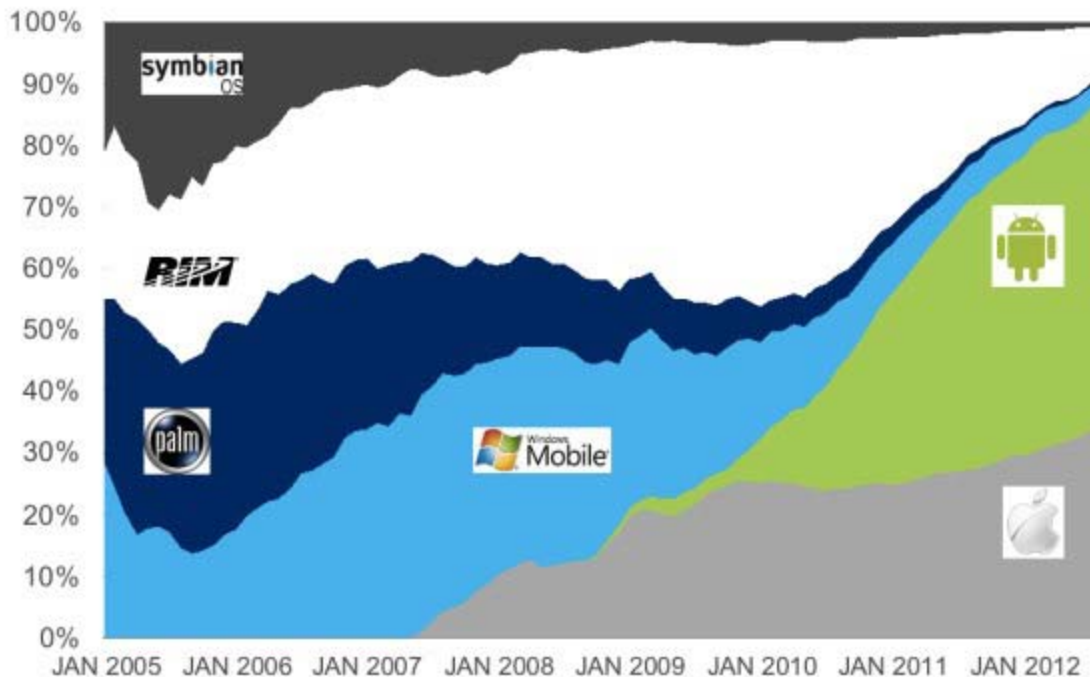
20. The Individual Defendants, because of their positions with the Company, controlled and/or possessed the authority to control the contents of its reports, press releases and presentations to securities analysts and, through such analysts, to the investing public. The Individual Defendants were provided with copies of the Company’s reports and publicly disseminated documents alleged herein to be misleading, prior to or shortly after their issuance and had the ability and opportunity to prevent their issuance or cause them to be corrected. Thus, the Individual Defendants had the opportunity to commit the fraudulent acts alleged herein.

SUBSTANTIVE ALLEGATIONS

The Company Background

21. BlackBerry was once a market share leader in the early days of the smartphone market but has struggled in recent years to staunch loss of market share to such rivals as Apple Inc and Samsung Electronics Co Ltd.

22. The following chart illustrates the declining market share suffered by BlackBerry/RIM from 2005 through 2012:



23. In addition, according to ComScore's latest data, BlackBerry's U.S. smartphone market share fell to 4.3% in the three-month period ended in July 2013.

24. Facing the plummeting marketing share, BlackBerry staked the Company's

comeback attempt on its BlackBerry 10 platform and its recently launched smartphone BlackBerry Z10.

Defendants' False and Misleading Statements During the Class Period

25. On September 27, 2012, the inception of the Class Period, BlackBerry issued a press release announcing its second quarter fiscal 2013 results. The report included a quote from Defendant Heins:

*“Despite the significant changes were implementing across the organization, **our second quarter results demonstrate that RIM is progressing on its financial and operational commitments during this major transition,**”* said Thorsten Heins, President and CEO. *“**Subscribers grew to approximately 80 million global users, revenue grew sequentially from the first quarter, cash, cash equivalents, short-term and long-term investments increased by approximately \$100 million to \$2.3 billion, and carriers and developers are responding well to previews Of our upcoming BlackBerry 10 platform.** Make no mistake about it, we understand that we have much more work to do, but **we are making the organizational changes to drive improvements cross the company,** our employees are committed and motivated, and BlackBerry 10 is on track to launch in the first calendar quarter of 2013.”*

[Emphasis added.]

26. The statements made by Defendant Heins contained in the Company's September 27, 2012 press release were materially false and misleading when made because Defendants knowingly and/or recklessly misrepresented that the changes made by BlackBerry, particularly with regard to BlackBerry 10, would “drive improvements across the Company.”

27. The Company also held a conference call on September 27, 2012, in which Defendant Heins made the following comments regarding BlackBerry:

- “RIM continues to be a financially strong company, and we're executing and delivering on our commitments.”
- “At the heart of the BlackBerry user experience is a keyboard our customers can type on. The BlackBerry keyboard has always been the best in the industry. And with BlackBerry 10, it just keeps getting better.”
- “We are in the midst of building a leaner and stronger organization.”

- “With approximately 80 million subscribers and upcoming launch of the new and unique mobile computing platform and unmatched reputation for security and growing support for BlackBerry 10 from carriers and developers, companies I meet with understand that RIM remains a strong, innovative and relevant player in the mobile computing world.”

28. The foregoing statements on Defendant Heins were materially false and misleading when made because Defendant knowingly and/or recklessly misrepresented that BlackBerry 10 would be a successful device that would revitalize the Company, and that BlackBerry was “financially strong.”

29. The next day, on September 28, 2012, BlackBerry filed a 6-K with its consolidated financial statements, which, among other things, discussed the Company’s “Cost Optimization and Resource Efficiency (“CORE”) Program:

In March 2012, the Company commenced the CORE program with the objective of improving the Company’s operations and increasing efficiency. The program includes, among other things, the streamlining of the BlackBerry smartphone product portfolio, the optimization of the Company’s global manufacturing footprint, the outsourcing of global repair services, the alignment of the Company’s sales and marketing teams and a reduction in the number of layers of management. ***The Company is currently targeting the CORE program to drive at least \$1.0 billion in savings by the end of fiscal 2013 based on RIM’s fourth quarter of fiscal 2012 run rate.***

[Emphasis added.]

30. The 6-K also included a section entitled “Management’s Discussion and Analysis of Financial Condition and Results of Operations” in which the Company further discussed the CORE program:

The Company is currently targeting the CORE program to drive at least \$1.0 billion in savings by the end of fiscal 2013 based on RIM’s fourth quarter of fiscal 2012 run rate. To date, the Company has launched CORE related actions that it expects will result in savings of approximately \$800 million of this target, of which approximately \$350 million has already been realized in the first six months of this fiscal year.

31. The “Management’s Discussion and Analysis of Financial Condition and Results

of Operations” section also discussed the Company’s operations and positioning for the future:

The Company is in the ongoing process of completing the largest platform and organizational transition in its history, with a view to better position the Company to achieve growth and to continue to be a leading company in the wireless communications industry. The Company’s second quarter results reflect the product and platform transition underway, ongoing market challenges and the competitive dynamics across many markets.

[Emphasis added.]

32. The Company also stated in the 6-K that:

“RIM expects that the anticipated launch of BlackBerry 10 smart phones in the first quarter of calendar 2013 will strengthen its position in the BYOD [bring your own device] enterprise segment and the Company will also continue to seek partnerships that will further enable RIM to have a complete BYOD offering. “

33. Defendants’ statements in the September 28, 2012 6-K were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that BlackBerry 10 would “strengthen its position,” and that the CORE program delivered meaningful cost savings to the Company.

34. On December 11, 2012, BlackBerry issued a press release filed the next day on Form 6-K emphasizing growing interest around BlackBerry 10 and the Company’s improved outlook:

Developer Interest Growing

With the BlackBerry 10 launch event less than two months away, developer interest and excitement for the BlackBerry 10 platform continues to grow. Top application developers have already committed to BlackBerry 10 in key categories including games, multimedia, business and productivity, published media and social networking. For example, at the recent BlackBerry Jam Asia conference in Bangkok, RIM showcased over 70 new top application partners and demoed several on the BlackBerry 10 platform including apps from Fox Sports, MTV India, Picstory, Viki Video, and Hot Remit.

Over the past few months, developer outlook toward RIM has improved broadly and significantly. According to a recent Pivot Point Research

survey commissioned by RIM*, 58% of developers surveyed would recommend BlackBerry 10 as a development platform, a 123% increase from May to October, 2012. The survey also found a steady increase in satisfaction with the BlackBerry 10 platform among developers, growing by 56% over the same period.

“We have been actively engaged with developers from around the world for many months and as we near the final weeks toward the launch of BlackBerry 10, the growing dedication and commitment we see from our developer community is truly outstanding,” said Alec Saunders, Vice President, Developer Relations and Ecosystems at Research In Motion. “The focus we have had on building a true developer ecosystem and community is clearly working.”

[Emphasis added.]

35. Defendants’ statements in the December 11, 2012 press release were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented the extent of developer interest and outlook towards BlackBerry and BlackBerry 10.

36. Then, on December 20, 2012, BlackBerry issued a press release also filed on Form 6-K with the SEC the next day announcing that the Company had reported its third quarter fiscal 2013 financial results. The press release quoted CEO Heins:

“RIM continued to execute on its product roadmap plans and to deliver on key financial metrics as it gets set for the global launch of BlackBerry 10,” said Thorsten Heins, President and CEO. ***“During the third quarter, we continued to demonstrate our strong financial position,*** generating \$950 million in cash flow from operations, and increasing our cash position significantly to more than \$2.9 billion. More than 150 carriers are currently completing technical acceptance programs for the first BlackBerry 10 products, and beta trials of BlackBerry Enterprise Service 10 are underway at more than 120 enterprises including 64 Fortune 500 companies. This is exciting time and our carrier partners, application developers and employees are all looking forward to unveiling the innovation and excitement of BlackBerry 10 to our customers on January 30, 2013.”

[Emphasis added.]

37. Defendant Heins’ statements in the December 20, 2012 press release were

materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented the financial strength of BlackBerry and that the Company was on a path to recovery.

38. The Company also held an earnings call on December 20, 2012, on which Defendant Heins made the following statements regarding BlackBerry:

“Q3 result continued to reflect the successful transition the company is making as it moves toward the launch event for our BlackBerry 10 mobile computing platform on January 30. We sold just under 7 million smartphones this quarter and generated revenue of \$2.7 billion. Gross margin strengthened, cash flow was strong and our cash position increased significantly. We continued to deliver a very strong cash flow from operations and maintained a very strong balance sheet at quarter end. Cash grew by more than \$600 million in the quarter to \$2.9 billion, even after the funding of all of our restructuring activities.”

* * *

“We are now nearing the end of our headcount reduction.”

* * *

“While our customers, partners and employees are very excited about our BlackBerry 10 launch, I also want to be clear that the management team remains laser-focused on continuing to make the necessary changes to return the company back to stable profitability. We’ve made great progress in the past month in demonstrating our financial strength, with cash growing to \$2.9 billion, and we will continue to implement plans and make decisions and changes that allow us to demonstrate steady progress as we work back towards profitability. We are committed to an amazing launch for BlackBerry 10 and we, in conjunction with our carrier partners, will be showcasing the redesigned innovation of reengineered, reinvented BlackBerry to the world. We have demonstrated how efficiently we have been able to convert working capital into cash as we become a leaner organization over the past few months, and we are now in a very strong position to reinvest into our launch and into our new platform, which I know Frank Boulben and his market team will do an amazing job with.”

• “[W]e believe the company has stabilized and will turn the corner in the next year.”

39. The foregoing statements made by Defendant Heins’ in the December 20, 2012 earnings call were materially false and misleading when made because, among other things,

Defendants knowingly and/or recklessly misrepresented that a) the Company was in a “successful transition”; b) that the Company was nearing end of its headcount reduction, as more layoffs were on the horizon; and c) that the Company was stable and on the path to recovery.

40. On December 21, 2012, BlackBerry filed a Form 6-K reporting its third quarter fiscal 2013 financial results. In the section entitled, Management’s Discussion and Analysis of Financial Condition and Results of Operations,” the Company stated,

“RIM continues to expect that the launch of BlackBerry 10 smartphones, in respect of which the launch event is expected to occur on January 30, 2013, will strengthen its position in the BYOD enterprise market and the Company will also continue to seek partnerships that will further enable RIM to have a complete BYOD offering. “

41. Furthermore, the 6-K Reviewed the Company’s operations and strategy going forward:

The Company is in the ongoing progress of completing the largest platform and organizational transition in its history, with a view to better position the Company to achieve growth and to continue to be a leading company in the wireless communications industry. The Company’s third quarter results reflect the product and platform transition underway, ongoing market challenges and the competitive dynamics across many markets.

* * *

The Company plans to exit this transition as a leaner and more nimble organization that can act quickly and is aligned with RIM’s growth opportunities.

[Emphasis added.]

42. The December 21, 2012 6-K also stated:

RIM expects that the launch of BlackBerry 10 smart phones, in respect of which the launch event is expected to occur on January 30, 2013, will strengthen its position in the BYOD enterprise segment and the Company will also continue to seek partners/tips that will further enable RIM to have a complete BYOD offering.

43. Defendants also reiterated that:

“...the Company is in the process of completing the largest platform and

organizational transition in its history, with a view to better position the Company to achieve growth and to continue to be a leading company in the wireless communications industry. As part of the ongoing efforts, the Company is also re-evaluating its product portfolio, operations, manufacturing and research and development strategy.”

44. Defendants’ statements in the December 21, 2012 6-K were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that BlackBerry 10 would “strengthen its position” and lead to a re-emergence in the wireless communications industry.

45. Shortly after BlackBerry 10’s official launch in January 2013, Defendant Heins offered the following statement on behalf of BlackBerry, which was submitted to the SEC on Form 6-K on February 6, 2013:

“In Canada, yesterday was the best day ever for the first day of a launch of a new BlackBerry smartphone. In fact, it was more than 50% better than any other launch day in our history in Canada,” said Thorsten Heins, President & CEO of BlackBerry. “In the UK, we have seen close to three times our best performance ever for the first week of sales for a BlackBerry smartphone.”

46. The foregoing statements made by Defendant Heins’ in the February 6, 2013 6-K were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented the sales success of the BlackBerry 10 and its impact on the growth of the Company.

47. On March 13, 2013, BlackBerry filed another press release on Form 6-K again emphasizing consumer interest in BlackBerry 10 smartphones. The Company stated:

Largest ever single purchase order in BlackBerry’s history

WATERLOO, ONTARIO -BlackBerry(R) (NASDAQ:BBRY)(TSX:BB) announced today that one of its established partners has placed an order for one million BlackBerry 10 smartphones with shipments starting immediately. This order marks the largest ever single purchase order in BlackBerry’s history.

“An order for one million devices is a tremendous vote of confidence in

BlackBerry 10,” said Rick Costanzo, EVP Global Sales, BlackBerry. “Consumers are ready for a new user experience, and BlackBerry 10 delivers. With strong partner support, coupled with this truly re-invented new platform, we have a powerful recipe for success.”

48. Defendants’ statements made in the March 13, 2013 6-K were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented the sales success of the BlackBerry 10 and its impact on the growth of the Company.

49. On March 28, 2013, BlackBerry filed its Annual Information Form with the SEC on Form 40-F. In the Annual Information Form, BlackBerry informed investors of the state of the Company and its direction as follows:

Successfully transitioning to BlackBerry 10, the Company’s next generation BlackBerry platform.

The Company is focused on building upon its successful BlackBerry 10 introduction and establishing the BlackBerry 10 platform amongst the top 3 mobile platforms. The launch of BlackBerry 10 in January 2013 marked the beginning of the organization’s transition to becoming a leading mobile computing organization. The Company expects the BlackBerry 10 OS will transition the organization from mobile communications into true mobile computing and will power BlackBerry smartphones, tablets and embedded solutions such as those found in advanced automotive electronics, including entertainment, communications and navigation applications.

[Emphasis Added]

50. The Form 40-F also included a section entitled “Management’s Discussion and Analysis of Financial Condition and Results of Operations” that included the following statements:

The Company expects that with the introduction of BlackBerry 10 smartphones, which began in certain markets in the fourth quarter of fiscal 2013 and will continue in the first quarter of fiscal 2014, its position in the BYOD enterprise market will strengthen and the Company will also continue to seek partnerships that will further enable the Company to have a complete BYOD offering.

* * *

The Company is in the ongoing process of completing the largest platform and organizational transition in its history, with a view to better position the Company to achieve growth and to continue to be a leading company in the wireless communications industry. The Company's fiscal 2013 results reflect the product and platform transition underway.

* * *

During fiscal 2013, the Company also implemented major changes throughout the organization, which it believes have made the Company leaner and more nimble and are intended to provide a solid foundation for continued innovation and execution.

51. Defendants' statements made in the March 28, 2013 Form 40-F were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that: a) the BlackBerry 10 would help re-establish the Company as "a leading mobile computing organization"; b) BlackBerry 10 would "strengthen" the Company's position "to achieve growth and be a leading company in the wireless communications industry"; and, c) the Company's changes had "provide[d] a solid foundation for continued innovation and execution."

52. The Company also filed a press release on March 28, 2013 announcing that the Company had reported its fourth quarter and year-end results for fiscal 2013. The press release included the following statement from Defendant Heins:

"We have implemented numerous changes at BlackBerry over the past year and those changes have resulted in the Company returning to profitability in the fourth quarter," said Thorsten Hein, President and CEO. "With the launch of BlackBerry 10, we have introduced the newest and what we believe to be the most innovative mobile computing platform in the market today. Customers love the device and the user experience, and our teams and partners are now focused on getting those devices into the hands of BlackBerry consumer and enterprise customers."

Heins added, "As we go into our new fiscal year, we are excited with the opportunities for the BlackBerry 10 platform, and the commitments we are seeing from our global developers and partners. We are also excited about the new, dynamic culture at BlackBerry where we are laser-focused on

continuing to drive efficiency and improve the Company's profitability while driving innovation. We have built an engine that is able to drive improved financial performance at lower volumes, which should allow us to generate additional benefits from higher volumes in the future."

53. Defendant Heins' statements made in the March 28, 2013 6-K were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that the Company was on the road to recovery, and specifically that the BlackBerry 10 platform was received I well by the public and driving profitability for BlackBerry.

54. BlackBerry also held an earnings call on March 28, 2013 on which Defendant Heins discussed the state of the Company. Specifically, Heins stated:

- Blackberry has gone through a major and exciting transformation this year, and it has been exciting. It was a year for change and we delivered significant positive change. So let me recap what we have accomplished in the first days of our transition, which has enabled us to return to an operating profit this quarter and given us great momentum as we go into fiscal' 14.
- Over the past year, we have also regained the confidence and excitement of our carrier distribution partners with the introducing of the amazing Blackberry 10 platform for consumers and enterprises. The Blackberry 10 platform has been worth the wait.
- And finally, our financial transformation over the past 12 months has been outstanding. To say it was a very challenging environment to deliver improved financial results could well be the understatement of the year. In the face of numerous challenges this past year, Blackberry has gone from a significant operating loss in the first quarter of the year to an operating profit in the fourth quarter.
- To recap, we started the year with a GAAP loss of \$518 million and an adjusted operating loss of \$192 million. And here we are, three quarters later, after implementing all these numerous changes and benefitting from a reenergized organization. We returned Blackberry to an operating profit despite a 26% decline in units shipped versus the first quarter. That said, in terms of financial strength, we are very well-positioned.
- We've made great progress, and we're proud of it.
- As mentioned at our launch in January, availability of Q10 will commence in April. The initial early global demand for the 10 has been

better than anticipated, and our recent announcement of the largest single purchase order in our history, for 1 million units, is also indicative of a strong initial support and demand.

- We have significantly transformed the company over this period, and today we have an exciting new mobile computing platform. We are profitable, and we have a healthy balance sheet. We are looking to leverage the early success of BlackBerry 10 and our strategic review initiatives will be intensifying their focus on opportunities in mobile computing verticals such as automotive, industrial, networking, healthcare, security, and defense, leveraging our secure network infrastructures for uses beyond those currently deployed by BlackBerry and potential licensing opportunities.

- This is a very exciting time to be a part of BlackBerry, and I want to thank our employees for the amazing job they have done in the transition accomplished to date. And I would also like to thank our loyal customers, partners, and developers for the passionate support of the communities where we operate. You have also been huge contributors to our turnaround.

55. Defendant Heins' statements made during the March 28, 2013 earnings call were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that the Company was on the road to recovery, making "great progress," and specifically that the BlackBerry 10 platform was leading the Company towards stronger financial results and profit.

56. On April 12, 2013, BlackBerry filed a press release on Form 6-K addressing claims from the research and investment firm Detwiler Fenton that BlackBerry Z10 phones were being returned in unusually high numbers:

"Sales of the BlackBerry Z10 are meeting expectations and the data we have collected from our retail and carrier partners demonstrates that customers are satisfied with their devices," said BlackBerry President and CEO Thorsten Heins. "Return rate statistics show that we are at or below our forecasts and right in line with the industry. To suggest otherwise is either a gross misreading of the data or a willful manipulation. Such a conclusion is absolutely without basis and BlackBerry will not leave it unchallenged. "

* * *

BlackBerry Chief Legal Officer Steve Zipperstein said: "These materially

false and misleading comments about device return rates in the United States harm BlackBerry and our shareholders, and we call upon the appropriate authorities in Canada and the United States to conduct an immediate investigation. Everyone is entitled to their opinion about the merits of the many competing products in the smartphone industry, but when false statements of material fact are deliberately purveyed for the purpose of influencing the markets a red line has been crossed.”

57. Defendants’ statements made in the April 12, 2013 6-K were materially false and misleading when made because Defendants knowingly and/or recklessly misrepresented that the BlackBerry 10 smartphones were received well by the public.

58. On June 28, 2013, the Company filed its financial results for the quarter ending June 1, 2013 on Form 6-K. The filing included a section entitled Management’s Discussion and Analysis of Financial Condition and Results of Operations that included the following statements:

- Throughout the remainder of fiscal 2014, the Company will invest in BlackBerry 10 smartphone launches, and the roll out of BlackBerry Enterprise Service (“BES”) 10, to continue to establish the new BlackBerry 10 platform in the marketplace.
- The Company expects that with the introduction of BlackBerry 10 smartphones, which began in certain markets in the fourth quarter of fiscal 2013 and continued in the first quarter of fiscal 2014, its position in the BYOD enterprise market will strengthen and the Company will also continue to seek partnerships that will further enable the Company to have a complete BYOD offering.

59. BlackBerry’s statements made in the June 28, 2013 6-K were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that the BlackBerry 10 would strengthen the Company’s position in the wireless communication marketplace when it had not been received well by the market.

60. The Company also held an earnings call on June 28, 2013 regarding its first quarter fiscal 2014 results. CEO Heins made the following statements on the call:

- We are five months into our platform transformation that we anticipate will drive future smartphone devices, greater enterprise efficiencies, and

new mobile computing opportunities for many years to come.

- The BlackBerry 10 smartphone portfolio is just starting to fill out. We're only five months in, and have since achieved significant numbers of technical acceptances globally.
- The BlackBerry Z10 has been an effective launch product to showcase the renewed and reengineered BlackBerry 10 experience to both consumers and enterprises.
- And another way we look at, the strong interest in BES 10 is by vertical markets, which demonstrates the broad enterprise appeal of our platform.
- The fourth piece I want to discuss is financial strength, which remains a key asset during our transition year. Strong products alone are not good enough to ensure solid long term turnaround, so we have been intensely focused on maintaining a strong balance sheet and delivering efficiency.
- We will continue to focus on our financial strength and believe we are well-positioned to continue to invest in our platform and compete in a highly competitive market.
- In terms of our outlook, this is an exciting and important transition year for the company. We are still early in our launch cycle, and have yet to see all BlackBerry 10 products and full deployment of BES 10 contribute to revenue.
- As we work towards our products and service launches throughout this year, I view fiscal 14 as our year of investment, where we will look to position ourselves appropriately for sustained growth in fiscal year 15.
- The decisions we make are particularly important to us this year, given that the changes in investment we implement will be the foundation for innovation, quality, cost base and growth of BlackBerry 10 in the coming years.
- BlackBerry has made a lot of steady progress in the past year. Just one year ago, the world was totally different, not only for BlackBerry, but for the whole smartphone industry. Things change quickly in our industry, and we have embraced the concept of change and agility, and this has allowed us to move forward quite dramatically.
- Let's remember, one year ago none of these products existed, and today they are just launching, and have been well-received, because of the performance and quality of BlackBerry 10. It has been very exciting and challenging for our teams, and we are looking forward to the next stage of our transition this year.
- With strong and steady execution, we will be able to capitalize on what we have created over the past year. We are one year smarter, one year tougher, and one year more successful than we were at this call last year. And we are confident in the ongoing success of our transformation in the coming year.

61. Defendant Heins' statements, made during the June 28, 2013 earnings call were materially false and misleading when made because, among other things, Defendants knowingly and/or recklessly misrepresented that: a) the BlackBerry 10 launch was "effective" given that it was not well received by the market; b) that the Company had made "steady progress in the past year;" and, c) that the Company was on the road to recovery, when in fact, the Company was in, worse shape than the previous year.

62. On August 12, 2013 the Company issued a press release filed on Form 6-K with the SEC announcing that BlackBerry's Board of Directors was exploring strategic alternatives. The press release included the following statement from Defendant Heins:

"We continue to see compelling long -term opportunities for BlackBerry 10, we have exceptional technology that customers are embracing, we have a strong balance sheet and we are pleased with the progress that has been made in our transition. As the Special Committee focuses on exploring alternatives, we will be continuing with our strategy of reducing cost, driving efficiency and accelerating the deployment of BES 10, as well as driving adoption of BlackBerry 10 smartphones, launching the multi-platform BBM social messaging service, and pursuing mobile computing opportunities by leveraging the secure and reliable BlackBerry Global Data Network."

63. Defendant Heins' statements included in the August 12, 2013 6-K were materially false and misleading when made because, I among other things, Defendants knowingly and/or recklessly misrepresented that the BlackBerry 10 smartphone launch was successful and had "compelling long-term opportunities," and that the Company had made progress as a result of the BlackBerry 10.

THE TRUTH IS REVEALED

64. On September 20, 2013 the truth emerged when BlackBerry issued a press release in which the Company announced its preliminary second quarter fiscal 2014 results.

65. Specifically, BlackBerry disclosed that:

[The Company] *expects to report a primarily non-cash, pre-tax charge against inventory and supply commitments in the second quarter of approximately \$930 million to \$960 million, which is primarily attributable to BlackBerry ZLO devices.*

The current quarter will also include a pre-tax restructuring charge in the approximate amount of \$72 million reflecting ongoing cost efficiency initiatives.

* * *

As part of the Company's focus on enhancing its financial results, and in response to the increasing competition in the smartphone market, BlackBerry also announced plans to transition its future smartphone portfolio from six devices to four. The portfolio will focus on enterprise and prosumer-centric targeted devices, including 2 high-end devices and 2 entry-level devices in all-touch and QWERTY models. With the launch of the BlackBerry Z30 -the next generation high-tier smartphone built on the BlackBerry 10 platform -- this week, the Company will re-tier the BlackBerry Z10 smartphone to make it available to a broader, entry-level audience. At the same time, the Special Committee of the Company's Board of Directors "continues to evaluate all strategic alternatives for the Company.

Furthermore, the Company also announced that it is targeting an approximate 50% reduction in operating expenditures by the end of the first quarter of Fiscal 2015. *As part of this, BlackBerry will implement a workforce reduction of approximately 4,500 positions or approximately 40% of the Company's global workforce resulting in a total workforce of approximately 7,000 full-time global employees.*

Thorsten Heins, President and Chief Executive Officer of BlackBerry said, "We are implementing the difficult, but necessary operational changes announced today to address our position in a maturing and more competitive industry, and to drive the company toward profitability. Going forward, we plan to refocus our offering on our end-to-end solution of hardware, software and services for enterprises and the productive, professional end user. This puts us squarely on target with the customers that helped build BlackBerry into the leading brand today for enterprise security, manageability and reliability."

[Emphasis added.]

66. As a result of the foregoing disclosure, BlackBerry's stock plummeted from a closing price of \$10.52 per share on September 19, 2013 to a close of \$8.73 per share on Friday, September 20, 2013, after experiencing an intra-day low of \$8.19, on heavy trading volume. The value of BlackBerry stock continued to slide on heavy trading volume over the next few days as

investors digested the bad news, and closed at \$8.01 on September 25, 2013.

POST-CLASS PERIOD DEVELOPMENTS

67. On Monday, September 23, 2013, the next trading day following BlackBerry's announcement of its \$1 billion BlackBerry 10 charge and the layoffs of 4,500 employees, BlackBerry announced that it entered into a letter of intent agreement under which a consortium led by Fairfax Financial Holdings Limited would acquire BlackBerry. Pursuant to the proposed transaction, BlackBerry shareholders would receive \$9.00 in cash for each share of BlackBerry held.

68. Then, on October 1, 2013, BlackBerry filed its financial information for the six months ended August 31, 2013 on Form 6-with the SEC, which noted that the Company was in even worse financial shape than previously reported. In light of the 4,500 employee reduction, the October 1, 2013 Form 6-K indicated that the Company's cost optimization program would incur \$400 million in charges, which is four times the \$100 million in charges BlackBerry had projected in the first quarter of fiscal 2014.

69. After reading the financials BlackBerry filed on October 1, 2013, analysts at Sanford Bernstein ("Bernstein") downgraded BlackBerry stock to "Underperform," effectively advising investors to sell their BlackBerry stock and stating: "We believe Blackberry is likely to burn close to \$2 billion in the next 6 quarters on a standalone basis, leading the company into material liquidity problems."

70. Bernstein reported that the Company's filings revealed that BlackBerry's cash position is "far worse" than expected. According to the filing, BlackBerry has \$2.9 billion in purchase obligations and commitments, almost all of those coming due in less than a year. About \$1.5 billion of those commitments are purchase orders with contract manufacturers, the filing

said. With customers fleeing, working capital stretched and large off-balance-sheet commitments, cash will start burning away, Bernstein warned.

71. On November 4, 2013, BlackBerry announced that it had abandoned its plan to sell itself and reported that the CEO was stepping down, sparking a 16 percent dive in BlackBerry's share price to close at \$6.50, giving the company a market value of about \$3.38 billion, down from its peak of \$80 billion.

NO SAFE HARBOR

72. The statutory safe harbor provided for forward-looking statements under certain circumstances does not apply to any of the allegedly false statements pleaded in this Complaint. To the extent there were any forward-looking statements, there were no meaningful cautionary statements identifying important factors that could cause actual results to differ materially from those in the purportedly forward-looking statements.

73. Alternatively, to the extent that the statutory safe harbor does apply to any forward-looking statements pleaded herein, Defendants are liable for those false forward-looking statements because at the time each of those forward-looking statements was made, the particular speaker knew that the particular forward-looking statement was false, and/or the forward-looking statement was authorized and/or approved by an executive officer of BlackBerry who knew that those statements were false when made.

UNDISCLOSED ADVERSE INFORMATION

74. The market for BlackBerry securities was an open, well-developed and efficient market at all relevant times. As a result of the materially false and misleading statements and failures to disclose described herein, BlackBerry securities traded at artificially inflated prices during the Class Period.

75. Plaintiff and the other members of the Class purchased or otherwise acquired BlackBerry securities relying upon the integrity of the market price of BlackBerry securities and market information related to BlackBerry, and have been damaged thereby.

76. During the Class Period, Defendants materially misled the investing public, thereby inflating the price of BlackBerry securities, by publicly issuing false and misleading statements and omitting to disclose material facts necessary to make Defendants' statements, as set forth herein, not false and misleading. Such statements and omissions were materially false and misleading in that they failed to disclose that the Company was not on the road to recovery and re-emerging as a lead player in the wireless communications industry and the BlackBerry 10 was not well-received by the market leaving the Company forced to write down a nearly \$1 billion charge related to unsold BlackBerry 10 devices and layoff approximately 4,500 employees, totaling approximately 40% of its total workforce.

77. At all relevant times, the material misrepresentations and omissions particularized herein directly or proximately caused or were a substantial contributing cause of the damages sustained by Plaintiff and the other members of the Class. As described herein, during the Class Period, Defendants made or caused to be made a series of materially false and misleading statements about BlackBerry's business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock.

78. These material misstatements and omissions had the cause and effect of creating in the market an unrealistically positive assessment of BlackBerry and its business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock, thus causing the Company's securities to be overvalued and artificially inflated at all relevant times. Defendants' false and misleading statements during the Class Period resulted in Plaintiff

and other members of the Class purchasing the Company's securities at artificially inflated prices, thus causing the damages complained of herein.

SCIENTER ALLEGATIONS

79. As alleged herein, Defendants acted with scienter in that they knew that the public documents and statements issued or disseminated in the name of the Company during the Class Period were materially false and misleading; knew that such statements or documents would be issued or disseminated to the investing public; and knowingly and substantially participated or acquiesced in the issuance or dissemination of such statements or documents as primary violations of the federal securities laws.

80. As set forth herein, Defendants, by virtue of their receipt of information reflecting the true facts regarding BlackBerry, their control over, receipt and/or modification of BlackBerry allegedly materially misleading statements and omissions, and positions with the Company which made them privy to confidential information concerning BlackBerry, participated in the fraudulent scheme alleged herein.

81. The ongoing fraudulent scheme described herein could not have been perpetrated over a substantial period of time, as has occurred, without the knowledge and complicity of the personnel at the highest level of the Company, including Defendants.

LOSS CAUSATION

82. During the Class Period, as detailed herein, Defendants engaged in a scheme to deceive the market and a course of conduct that artificially inflated the price of BlackBerry common stock and operated as a fraud or deceit on Class Period purchasers of BlackBerry common stock by failing to disclose to investors that the Company's financial results and business prospects were materially misleading and misrepresented material information. When

Defendants' misrepresentations and fraudulent conduct were disclosed and became apparent to the market, the price of BlackBerry common stock fell as the prior inflation came out of the Company's stock price. As a result of their purchases of BlackBerry common stock during the Class Period, Plaintiff and the other Class members suffered economic loss.

83. By failing to disclose the true state of the Company's business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock, investors were not aware of the true state of the Company's financial status and business prospects. Therefore, Defendants presented a misleading picture of BlackBerry's business and prospects. Thus, instead of truthfully disclosing during the Class Period the true state of the Company's business, Defendants caused BlackBerry to conceal the truth.

84. The decline in the price of BlackBerry common stock after the truth came to light was a direct result of the nature and extent of Defendants' fraud finally being revealed to investors and the market. The timing and magnitude of BlackBerry's common stock price decline negates any inference that the loss suffered by Plaintiff and the other Class members was caused by changed market conditions, macroeconomic or industry factors or Company-specific facts unrelated to the Defendants' fraudulent conduct. The economic loss suffered by Plaintiff and the other Class members was a direct result of Defendants' fraudulent scheme to artificially inflate the price of BlackBerry securities and the subsequent decline in the value of BlackBerry common stock when Defendants' prior misrepresentations and other fraudulent conduct were revealed.

**APPLICABILITY OF PRESUMPTION OF RELIANCE:
FRAUD ON THE MARKET DOCTRINE**

85. At all relevant times, the market for BlackBerry stock was an efficient market for the following reasons, among others: a. BlackBerry securities met the requirements for listing,

and were listed and actively traded on the NASDAQ, a highly efficient market; b. As a regulated issuer, BlackBerry filed periodic public reports with the SEC and the NASDAQ; c. BlackBerry securities were followed by securities analysts employed by major brokerage firms who wrote reports which were distributed to the sales force and certain customers of their respective brokerage firms. Each of these reports was publicly available and entered the public marketplace; and d. BlackBerry regularly issued press releases which were carried by national newswires. Each of these releases was publicly available and entered the public marketplace.

86. As a result, the market for BlackBerry securities promptly digested current information with respect to the Company from all publicly-available sources and reflected such information in BlackBerry' stock price. Under these circumstances, all purchasers of BlackBerry securities during the Class Period suffered similar injury through their purchase of stock at artificially inflated prices and a presumption of reliance applies.

CLASS ACTION ALLEGATIONS

87. Plaintiff bring this action as a class action pursuant to Federal Rule of Civil Procedure 23(a) and (b)(3) on behalf of all persons who purchased or otherwise acquired BlackBerry securities between September 27, 2012 and September 20, 2013, inclusive and who were damaged thereby (the "Class"). Excluded from the Class are Defendants, the officers and directors of BlackBerry and members of their immediate families, any subsidiary or affiliate of BlackBerry, employees of the Company or its subsidiaries or affiliates, or any entity in which any excluded person has a controlling interest, and the legal representatives, heirs, successors and assigns of any excluded person.

88. The members of the Class are so numerous that joinder of all members is impracticable. While the exact number of Class members is unknown to Plaintiff at this time

and can only be ascertained through appropriate discovery, Plaintiff believes that there are thousands of members of the Class. Throughout the Class Period, BlackBerry securities were actively traded on the NASDAQ, an open and efficient market, under the ticker symbol “BBRY”. As of March 2, 2013, the Company had 524,159,844 shares of common stock outstanding. Record owners and other members of the Class may be identified from records maintained by BlackBerry and/or its transfer agents and may be notified of the pendency of this action by mail, using a form of notice similar to that customarily used in securities class actions.

89. Plaintiff’s claims are typical of the claims of the other members of the Class as all members of the Class were similarly affected by Defendants’ wrongful conduct in violation of federal law that is complained of herein. Plaintiff will fairly and adequately protect the interests of the members of the Class and have retained counsel competent and experienced in class and securities litigation.

90. Common questions of law and fact exist as to all members of the Class and predominate over any questions solely affecting individual members of the Class. Among the questions of law and fact common to the Class are:

- a. whether the federal securities laws were violated by Defendants’ acts and omissions as alleged herein;
- b. whether Defendants participated in and pursued the common course of conduct complained of herein;
- c. whether documents, press releases, and other statements disseminated to the investing public and the Company’s shareholders during the Class Period misrepresented material facts about the Company’s business, operations, management, future business prospects, and the intrinsic value of BlackBerry

common stock;

- d. whether statements made by Defendants to the investing public during the Class Period misrepresented and/or omitted to disclose material facts about the Company's business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock;
- e. whether the market price of BlackBerry common stock during the Class Period was artificially inflated due to the material misrepresentations and failures to correct the material misrepresentations complained of herein; and
- f. the extent to which the members of the Class have sustained damages and the proper measure of damages.

91. A class action is superior to all other available methods for the fair and efficient adjudication of this controversy since joinder of all members is impracticable. Furthermore, as the damages suffered by individual Class members may be relatively small, the expense and burden of individual litigation make it impossible for members of the Class to individually redress the wrongs done to them. There will be no difficulty in the management of this suit as a class action.

COUNT I

For Violations Of §10(b) Of the Exchange Act And Rule 10b-5 Promulgated Thereunder Against All Defendants

92. Plaintiff repeats and realleges the allegations set forth above as though fully set forth herein.

93. This Count is asserted against Defendants and is based upon Section 10(b) of the Exchange Act, 15 U.S.C. § 78j(b), and Rule 10b-5 promulgated thereunder by the SEC.

94. During the Class Period, Defendants carried out a plan, scheme and course of

conduct which was intended to and, throughout the Class Period, did: (i) deceive the investing public, including Plaintiff and other Class members, as alleged herein; (ii) artificially inflate and maintain the market price of BlackBerry common stock; and (iii) cause Plaintiff and other members of the Class to purchase BlackBerry stock at artificially inflated prices. In furtherance of this unlawful scheme, plan and course of conduct, the Defendants took the actions set forth herein.

95. Pursuant to the above plan, scheme, conspiracy and course of conduct, each of the Defendants participated directly or indirectly in the preparation and/or issuance of the quarterly and annual reports, SEC filings, press releases and other statements and documents described above, including statements made to securities analysts and the media that were designed to influence the market for BlackBerry securities. Such reports, filings, releases and statements were materially false and misleading in that they failed to disclose material adverse information and misrepresented the truth about BlackBerry's business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock.

96. By virtue of their positions at BlackBerry, the Individual Defendants had actual knowledge of the materially false and misleading statements and material omissions alleged herein and intended thereby to deceive Plaintiff and the other members of the Class, or, in the alternative, Defendants acted with reckless disregard for the truth in that they failed or refused to ascertain and disclose such facts as would reveal the materially false and misleading nature of the statements made, although such facts were readily available to Defendants. Said acts and omissions of the Individual Defendants were committed willfully or with reckless disregard for the truth. In addition, each Defendant knew or recklessly disregarded that material facts were being misrepresented or omitted as described above.

97. Information showing that Defendants acted knowingly or with reckless disregard for the truth is peculiarly within Defendants' knowledge and control. As the senior managers and/or directors of BlackBerry, the Individual Defendants had knowledge of the details of BlackBerry internal affairs.

98. The Individual Defendants are liable both directly and indirectly for the wrongs complained of herein. Because of their positions of control and authority, the Individual Defendants were able to and did, directly or indirectly, control the content of the statements of BlackBerry. As officers and/or directors of a publicly-held company, the Individual Defendants had a duty to disseminate timely, accurate, and truthful information with respect to BlackBerry's business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock. As a result of the dissemination of the aforementioned false and misleading reports, releases and public statements, the market price of BlackBerry common stock was artificially inflated throughout the Class Period. In ignorance of the adverse facts concerning BlackBerry's business, operations, management, future business prospects, and the intrinsic value of BlackBerry common stock which were concealed by Defendants, Plaintiff and the other members of the Class purchased BlackBerry common stock at artificially inflated prices and relied upon the price of the securities, the integrity of the market for the securities and/or upon statements disseminated by Defendants, and were damaged thereby.

99. During the Class Period, BlackBerry common stock was traded on an active and efficient market. Plaintiff and the other members of the Class, relying on the materially false and misleading statements described herein, which the Defendants made, issued or caused to be disseminated, or relying upon the integrity of the market, purchased shares of BlackBerry securities at prices artificially inflated by Defendants' wrongful conduct. Had Plaintiff and the

other members of the Class known the truth, they would not have purchased said securities, or would not have purchased them at the inflated prices that were paid. At the time of the purchases by Plaintiff and the Class, the true value of BlackBerry securities was substantially lower than the prices paid by Plaintiff and the other members of the Class. The market price of BlackBerry securities declined sharply upon public disclosure of the facts alleged herein to the injury of Plaintiff and Class members.

100. By reason of the conduct alleged herein, Defendants knowingly or recklessly, directly or indirectly, have violated Section 10(b) of the Exchange Act and Rule 10b-5 promulgated thereunder.

101. As a direct and proximate result of Defendants' wrongful conduct, Plaintiff and the other members of the Class suffered damages in connection with their respective purchases and sales of the Company's securities during the Class Period, upon the disclosure that the Company had been disseminating misrepresented financial statements to the investing public.

COUNT II
For Violations of §20(a) of the Exchange Act Against the Individual Defendants

102. Plaintiff repeats and realleges the allegations set forth above paragraphs as if set forth fully herein. This claim is asserted against the Individual Defendants.

103. The Individual Defendants acted as a controlling person of BlackBerry within the meaning of §20(a) of the Exchange Act as alleged herein. By virtue of their positions as executives and/or directors with the Company, participation in and/or awareness of the Company's operations and/or intimate knowledge of the Company's actual performance, the Individual Defendants had the power to influence and control and did influence and control, directly or indirectly, the decision-making of the Company, including the content and dissemination of the various statements which Plaintiff contends are false and misleading. The

Individual Defendants were provided with or had unlimited access to copies of the Company's reports, press releases, public filings and other statements alleged by Plaintiff to be misleading prior to and/or shortly after these statements were issued and had the ability to prevent the issuance of the statements or cause the statements to be corrected.

104. In addition, the Individual Defendants had direct involvement in the day-to-day operations of the Company and, therefore, are presumed to have had the power to control or influence the particular transactions giving rise to the securities violations as alleged herein, and exercised the same.

105. As set forth above, BlackBerry and the Individual Defendants each violated §10(b) and Rule 10b-5 by their acts and omissions as alleged in this Complaint. By virtue of their controlling position, the Individual Defendants are liable pursuant to §20(a) of the Exchange Act. As a direct and proximate result of these Defendants' wrongful conduct, Plaintiff and other members of the Class suffered damages in connection with their purchases of the Company's securities during the Class Period.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff, on behalf of himself and the Class, pray for judgment as follows:

- a) Declaring this action to be a class action pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure on behalf of the Class defined herein, designating Plaintiff as Lead Plaintiff and Plaintiff's counsel as Lead Counsel;
- b) Awarding Plaintiff and the other members of the Class damages in an amount which may be proven at trial, together with interest thereon;