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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Tom Bean,

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CV 11-08028-PCT-FJM

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Plaintiff,

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ORDER

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vs.

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John Wiley & Sons, Inc.,

)

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Defendant.

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The court has before it plaintiff's motion to transfer Bean v. John Wiley & Sons, Inc.,
17 CV-12-08001-PCT-GMS, to our docket (doc. 99). No party filed a response, and the time
18 for responding has expired.

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In deciding whether to transfer a related case under LRCiv 42.1, we consider whether
20 matters of substance have been considered in a case, whether a particular judge has the most
21 familiarity with the relevant issues, and whether a case can be reasonably viewed as the lead
22 case. Here, plaintiff argues that his recently filed action involves the identical parties and the
23 same types of copyright infringement claims as those in this action. Although both actions
24 allege copyright infringement by defendant's use of plaintiff's photographs in textbooks, there
25 is nothing so unique about these actions that would make us any more equipped than any
26 other judge in this district to adjudicate plaintiff's claims. Additionally, there is a fully-
27 briefed motion to dismiss pending in the action plaintiff wishes us to transfer. In sum, there
28 are not compelling reasons to transfer plaintiff's recently-filed action.

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IT IS ORDERED DENYING plaintiff's motion to transfer related case CV-12-08001-PCT-GMS (doc. 99).

DATED this 14th day of March, 2012.

Frederick J. Martone

Frederick J. Martone
United States District Judge