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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 05-4753 AHM (SHx) Consolidated with Case No. CV 04-9484 AHM (SHx) ✓	Date	December 7, 2009
Title	PERFECT 10, INC. v. AMAZON.COM, INC., <i>et al.</i>		

Present: The Honorable	A. HOWARD MATZ, U.S. DISTRICT JUDGE
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S. Eagle Deputy Clerk	Not Reported Court Reporter / Recorder	Tape No.
Attorneys <b>NOT</b> Present for Plaintiffs:	Attorneys <b>NOT</b> Present for Defendants:	

**Proceedings:** IN CHAMBERS (No Proceedings Held)

The Court has reviewed the parties' filings re *Perfect 10's* settlement agreement with Microsoft and the extent (if any) to which it has a bearing on these cases. The Court need not express a view at this time.

*Perfect 10's* counsel has asked when the Court will rule on "*Perfect 10's* Motion for Partial Summary Judgment Against . . . [Alexa and Amazon]."

The Court regrets that it has been unable to turn to those motions for a lengthy period of time. But counsel need to be aware of numerous factors that affect this Court's determinations of priorities and its availability. These factors include, but by no means are limited to, the following:

1. By the end of this calendar year the Court will have presided over at least 8-9 jury trials, including in criminal cases.
2. Criminal cases receive priority. This Court has been responsible for one gang case involving 70 defendants and another involving 22 defendants. Just managing such cases requires a lot of time and effort. And there are scores of other criminal cases.
3. This Court has been significantly affected by vacancies on the Central District and by the staggering increase in civil filings (particularly foreclosure-related filings) and in criminal cases.
4. The Court has important administrative responsibilities.

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5. Recently, the Court was required to serve jury duty in the state court.

The above factors are applicable to many, if not all, district judges on this court. But the *Perfect 10* litigation is unique to this Court, and it is extremely complicated, sprawling and often nasty. The Court has devoted a large amount of time to these several cases (including *Microsoft*).

The Court will continue to do its best to provide appropriate attention to the pending motions and other developments in these cases, but the only answer to counsel’s question as to “when” is “As soon as I can.”

Initials of Preparer \_\_\_\_\_ : \_\_\_\_\_  
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