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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SPECIAL SITUATIONS FUND III QP,
L.P., ET AL.,

Plaintiffs,

v.

MARRONE BIO INNOVATIONS, INC.,
ET AL.,

Defendants.

No. 2:14-cv-02571-MCE-KJM

AMENDED RELATED CASE ORDER

UNITED STATES OF AMERICA,

Plaintiff,

v.

HECTOR ABSI,

Defendant.

No. 2:16-cr-00027-WBS-01

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SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

HECTOR M. ABSI, JR.

Defendant.

No. 2:16-cv-00320-JAM-AC

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MARRONE BIO INNOVATIONS, INC.

Defendant.

No. 2:16-cv-00321-MCE-EFB

The Court has received the Notices of Related Cases filed on February 17, 2016 and February 18, 2016 (ECF Nos 47 and 48).

Examination of the above-entitled civil and criminal actions reveals that these actions are related within the meaning of Local Rule 123(a) (E.D. Cal. 1997). The actions involve many of the same defendants and are based on the same or similar claims, the same property transaction or event, similar questions of fact and the same questions of law, and would therefore entail a substantial duplication of labor if heard by different judges.

Accordingly, the assignment of the matters to the same judge is likely to affect a substantial savings of judicial effort and is also likely to be convenient for the parties.

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1 The parties should be aware that relating the cases under Local Rule 123 merely
2 has the result that both actions are assigned to the same judge; no consolidation of the
3 action is affected. Under the regular practice of this court, related cases are generally
4 assigned to the district judge and magistrate judge to whom the first filed action was
5 assigned.

6 IT IS THEREFORE ORDERED that the action denominated 2:16-cr-00027-WBS,
7 United States of America v. Hector Absj, 2:16-cv-00320-JAM-AC, Securities and
8 Exchange Commission v. Hector M. Absj, Jr., and 2:16-cv-00321-MCE-AC, Securities
9 and Exchange Commission v. Marrone Bio Innovations, Inc., are all reassigned to Chief
10 Judge Morrison C. England, Jr. and Magistrate Judge Kendall Newman for all further
11 proceedings, and any dates currently set in 2:16-cv-00320-JAM-AC, Securities and
12 Exchange Commission v. Hector M. Absj, Jr., and 2:16-cv-00321-MCE-AC, Securities
13 and Exchange Commission v. Marrone Bio Innovations, Inc. only are hereby VACATED.
14 Henceforth, the caption on documents filed in the reassigned shall be shown as 2:16-cr-
15 00027-MCE, United States of America v. Hector Absj, 2:16-cv-00320-MCE-KJN,
16 Securities and Exchange Commission v. Hector M. Absj, Jr., and 2:16-cv-00321-MCE-
17 KJN, Securities and Exchange Commission v. Marrone Bio Innovations, Inc..

18 IT IS FURTHER ORDERED that the Clerk of the Court make appropriate
19 adjustment in the assignment of cases to compensate for this reassignment.

20 IT IS SO ORDERED.

21 DATED: February 23, 2016

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24 MORRISON C. ENGLAND, JR, CHIEF JUDGE
25 UNITED STATES DISTRICT COURT
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