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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 MEDIA QUEUE, LLC,

No. C 09-1027 SI

9 Plaintiff,

**ORDER DENYING DEFENDANT  
NETFLIX'S MOTION FOR A  
PROTECTIVE ORDER**

10 v.

11 NETFLIX, INC., *et al.*,

12 Defendants.  
13 \_\_\_\_\_/

14 On October 24, 2008, plaintiff filed this action in the Eastern District of Oklahoma against  
15 three defendants, including Netflix, Inc. On February 24, 2009, the case was transferred to the  
16 Northern District of California pursuant to 28 U.S.C. § 1404(a). Prior to the transfer, the parties  
17 agreed upon a pretrial schedule, and the Oklahoma District Court issued an Agreed Scheduling  
18 Order on January 7, 2009. Docket No. 99.

19 On March 30, 2009, defendant Netflix submitted a letter brief requesting that the Court issue  
20 a protective order limiting discovery and requesting that the Court issue a revised pretrial schedule  
21 to permit Netflix to file a motion for summary judgment within a month.<sup>1</sup> Plaintiff opposes the  
22 request, and asserts that Netflix's phased proposal will be inefficient and burdensome.

23 The Court is holding an initial case management conference on June 19, 2009, and at that  
24 time will set a case management plan and explore with the parties the possibility of early motions.  
25 The parties only recently meet and conferred and agreed to the current scheduling plan, and the  
26 Court sees no reason to disturb that schedule at this point. Accordingly, the Court DENIES  
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28 <sup>1</sup> The parties' letter briefs are found at Docket Nos. 125, 128, 135, and 139.

1 defendant's request motion without prejudice to revisiting case management issues at the June 19,  
2 2009 conference.

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**IT IS SO ORDERED.**

Dated: April 20, 2009

  
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SUSAN ILLSTON  
United States District Judge