UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE: WEBKINZ ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO ALL ACTIONS.

CASE NO. M:08-CV-01987 JSW
MDL NO. 1987

[~~PROPOSED~~] ORDER GRANTING DEFENDANTS' MOTION FOR RECONSIDERATION

Judge: Hon. Jeffrey S. White
Ctrm: Courtroom 2, 17th Floor

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

1. The case titled *Freedom Candle Co., et al. v. Ganz, Inc. et al.*, Case No. CV 09 03928 (N.D. Cal. Aug. 25, 2009) has been filed in the United States District Court for the Northern District of California.

2. On September 1, 2009, the *Freedom Candle* plaintiffs moved this Court to relate that case to *In re Webkinz Antitrust Litigation*, Case No. CV 08-01987 (N.D. Cal.) and *Nuts for Candy v. Ganz, Inc. et al*., Case No. CV 08-02873 (N.D. Cal.).

3. On September 4, 2009, the Court granted the plaintiffs' motion to relate these cases. It has since come to the Court's attention that the time for the defendants' response to that motion had not yet expired. The defendants have moved for reconsideration of the Court's September 4 Order, and filed an opposition to the plaintiffs' motion to relate.

4. In order to consider the defendants' opposition, the Court will grant the motion for reconsideration and vacate its Order of September 4.

Therefore, after consideration of the briefs and arguments of counsel and all other matters presented to the Court, and good cause appearing therefor, IT IS HEREBY ORDERED that Defendants' Motion for Reconsideration is GRANTED, and that the Court's Order of September 4, 2009 relating these cases is VACATED.

DATED: September 9, 2009

HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE

The Court will consider the Defendants' opposition to the motion to relate the cases as well as the Plaintiffs' outstanding motion for leave to file an amended complaint before making a final determination on the relatedness of the cases. The motion for reconsideration is GRANTED and the Order dated September 4, 2009 is VACATED due to the fact that the time for Defendants' response to the motion to relate the cases had not expired.