

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

)	Case No.: 12-CV-03373-LHK
BE IN, INC., a New York Corporation)	
Plaintiff,)	ORDER GRANTING IN PART
v.)	PLAINTIFF'S MOTION TO EXTEND
)	TIME TO FILE THIRD AMENDED
)	COMPLAINT
GOOGLE INC., a California corporation,)	
YOUTUBE, LLC, a Delaware limited liability)	
company, and GOOGLE UK LTD., a private)	
limited company registered in England and)	
Wales,)	
Defendants.)	

Plaintiff filed a motion to extend the time to file a third amended complaint to December 2, 2013. ECF No. 84. Defendants filed a conditional non-opposition to Plaintiff's motion, asking that the Court order Plaintiff to show cause if Plaintiff does not file a third amended complaint by the new December 2, 2013 deadline. ECF No. 85.

The Court grants Plaintiff's request but only extends the time to amend the complaint to November 15, 2013. Plaintiff's multiple changes in counsel have already delayed this case.

The Court also denies Defendants' request to order Plaintiff to show cause why the entire case should not be dismissed with prejudice if Plaintiff does not file an amended complaint by the new amendment deadline. Defendants did not challenge Plaintiff's copyright infringement claim in

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Defendants' motion to dismiss the complaint, *see* ECF No. 64. Thus, the Court will not require Plaintiff to show cause why the entire case, including the copyright infringement claim, should not be dismissed with prejudice should Plaintiff fail to file an amended complaint by the new deadline.

IT IS SO ORDERED.

Dated: October 28, 2013



LUCY H. KOH
United States District Judge