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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DOUGLAS O'CONNOR, et al.,  
Plaintiffs,  
v.  
UBER TECHNOLOGIES, INC., et al.,  
Defendants.

Case No. [13-cv-03826-EMC](#)

**ORDER DENYING WITHOUT  
PREJUDICE PLAINTIFF'S AMENDED  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED**

Docket No. 950

United States District Court  
Northern District of California

The Court previously denied without Plaintiff's administrative motion to consider whether *Mendel v. Chao*, No. 19-cv-3244 (N.D. Cal. filed June 7, 2019), currently assigned to Judge White, should be related to *O'Connor v. Uber Technologies, Inc.*, No. 13-cv-3826 (N.D. Cal. filed Aug. 16, 2013), before this Court. Docket No. 949. The Court explained that Plaintiff had not yet served the Defendants in *Mendel* with summons and copies of the complaint in accordance with Federal Rule of Civil Procedure 4(c). Nor had Plaintiff served Defendants with copies of the motion to relate in accordance with Local Rule 3-12(b) to allow them an opportunity to respond.

Plaintiff has now filed an amended motion to relate *Mendel* to *O'Connor*. Docket No. 950. However, it still appears that Plaintiff has not served all *Mendel* Defendants with the instant motion. See N.D. Cal. Civ. L.R. 3-12(b) ("[A] copy of the motion [to relate], together with proof of service pursuant to Civil L.R. 5-5, must be served on all known parties to each apparently


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1 related action.”). Accordingly, Plaintiff’s amended motion to relate is **DENIED without**  
2 **prejudice**. Plaintiff may refile the motion and serve the *Mendel* Defendants in compliance with  
3 Local Rule 3-12(b).

4 This order disposes of Docket No. 950.

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6 **IT IS SO ORDERED.**

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8 Dated: July 29, 2019

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11 EDWARD M. CHEN  
12 United States District Judge