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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BARGAIN SOFTWARE SHOP, LLC,

Plaintiff,

v.

ADOBE SYSTEMS INCORPORATED,

Defendant.

Case No. [15-cv-00351-JCS](#)

**ORDER OF SUA SPONTE REFERRAL  
AS TO WHETHER CASES ARE  
RELATED**

Civil Local Rule 3-12(c) provides that “[w]henver a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the lowest-numbered case with a request that the Judge assigned to the lowest-numbered case consider whether the cases are related.” This case was transferred from the Western District of Texas based on that court’s conclusion that it is related to two cases in this district before the Honorable Judge Edward Chen, numbered 13-cv-04193-EMC and 14-cv-3721-EMC. *See* Report and Recommendation (dkt. 32); Order Adopting Report and Recommendation (dkt. 33). The Court has reviewed the claims of this case and the purportedly related cases, and agrees that the cases might be related.

Accordingly, pursuant to Rule 3-12(c), this action is REFERRED to Judge Chen for a determination of whether this action is related to *Adobe Systems Inc. v. Colorado Internet Services, LLC*, 13-cv-04193-EMC (N.D. Cal.) and/or *Adobe Systems Inc. v. Bargain Software,*

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LLC, 14-cv-3721-EMC (N.D. Cal.). Any party may file a response, opposition, or statement in support of relating the cases **no later than February 6, 2015**.<sup>1</sup>

**IT IS SO ORDERED.**

Dated: February 2, 2015

  
\_\_\_\_\_  
JOSEPH C. SPERO  
Chief Magistrate Judge

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<sup>1</sup> Two attorneys for Bargain Software Shop, LLC have moved to withdraw as counsel. *See* dkt. 36. The Court declines to address that motion pending resolution of whether the cases are related.