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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

B & R SUPERMARKET, INC., *et al.*,

No. C 16-01150 WHA

Plaintiffs,

v.

VISA, INC., *et al.*,

**ORDER GRANTING LEAVE TO
FILE MOTION TO TRANSFER**

Defendants.

The Court has considered defendants Mastercard and Visa’s letter dated March 1, 2017, requesting leave to file a motion to transfer this action to the Eastern District of New York (Dkt. No. 405), and plaintiffs’ opposition to said request (Dkt. No. 409). According to Mastercard and Visa (Dkt. No. 405 at 2):

On February 8, 2017, in MDL 1720, the putative damages class (represented by Robbins Geller) proposed a third amended complaint, and the putative injunctive relief class filed a similar amended complaint for equitable relief. Just like the complaint filed in this action, those amended class complaints assert that Visa and Mastercard violated the federal antitrust laws when rolling out EMV chip card technology and establishing the attendant liability shifts. As a result of this recent action . . . all of the fundamental issues in this case now also are being litigated on a class-wide basis in the comprehensive, first-filed MDL 1720 class actions.

Leave is **GRANTED** on the condition that, in their motion to transfer, Mastercard and Visa append true and correct copies of the “third amended complaint” and “similar amended complaint” referenced above. In their briefing on the motion to transfer, both sides shall please provide detailed side-by-side comparisons of said complaints to the operative complaint in our case, and point out any significant similarities or differences with precise and accurate citations

1 to each document. Furthermore, in addition to discussing the possibility of transfer, both sides
2 shall also address in their briefing whether this Court should stay this case out of deference to
3 the overlapping MDL litigation in New York.

4 Mastercard and Visa shall please file the motion by **MARCH 27 AT NOON**, to be heard on
5 the normal 35-day track.

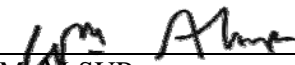
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7 **IT IS SO ORDERED.**

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9 Dated: March 9, 2017.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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