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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,  
Plaintiff,  
v.  
LUCKY OPCO LLC,  
Defendant.

Case No. [21-cv-02692-JCS](#)  
*Also Filed in Case No. 21-cv-00903-BLF*

**SUA SPONTE REFERRAL TO  
DETERMINE WHETHER CASES ARE  
RELATED**

United States District Court  
Northern District of California

Plaintiff Brian Whitaker has filed multiple cases in this district against Defendant Lucky OpCo LLC, with substantially identical allegations regarding barriers to access at different Lucky stores. This case is hereby REFERRED to the Honorable Beth Labson Freeman under Civil Local Rule 3-12(c) to determine whether it is related to case number 21-cv-00903-BLF. Any party may file a statement supporting or opposing finding the cases related no later than September 13, 2021. *See* Civ. L.R. 3-12(c), 3-12(e), 7-11(b).

The undersigned has separately issue a report and recommendation to deny Whitaker’s motion for default judgment and dismiss the case without prejudice. If Judge Freeman determines that the cases are not related, this case will be reassigned to a randomly-selected district judge for action on that recommendation.

**IT IS SO ORDERED.**

Dated: September 7, 2021

  
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JOSEPH C. SPERO  
Chief Magistrate Judge