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 16 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

17 SAMUEL MICHAEL KELLER, on behalf
 18 of himself and all others similarly situated,

19 Plaintiff,

20 v.

21 ELECTRONIC ARTS, INC., et al.,

22 Defendants.

Case No. C 09-01967 (CW)

**AMENDED [PROPOSED] ORDER
 GRANTING PLAINTIFFS SAMUEL
 MICHAEL KELLER'S AND EDWARD C.
 O'BANNON, JR.'S JOINT MOTION TO
 CONSOLIDATE ACTIONS**

Date: December 17, 2009
 Time: 2:00 p.m.
 Judge: The Hon. Claudia Wilken
 Courtroom: 2, 4th Floor

1 EDWARD C. O'BANNON, JR., on behalf
of himself and all others similarly situated,

2 Plaintiff,

3 v.

4 NATIONAL COLLEGIATE ATHLETIC
5 ASSOCIATION (a/k/a the "NCAA"), et al.

6 Defendants.

Case No. C 09-03329 (CW)

7
8 BYRON BISHOP, on behalf of himself
and all others similarly situated,

9 Plaintiff,

10 v.

11 ELECTRONIC ARTS, INC., et al.,

12 Defendants.

Case No. C 09-04128 (CW)

13
14 CRAIG NEWSOME, on behalf of himself
and all others similarly situated,

15 Plaintiff,

16 v.

17 NATIONAL COLLEGIATE ATHLETIC
18 ASSOCIATION, et al.,

19 Defendants.

Case No. C 09-04882 (CW)

20
21 MICHAEL ANDERSON, on behalf of
himself and all others similarly situated,

22 Plaintiff,

23 v.

24 NATIONAL COLLEGIATE ATHLETIC
25 ASSOCIATION (a/k/a the "NCAA"), et
26 al.,

27 Defendants.

Case No. C 09-05100 (CW)

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DANNY WIMPRINE, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION (a/k/a the "NCAA"), et
al.,

Defendants.

Case No. C 09-05134 (CW)

SAMUEL JACOBSON, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION (a/k/a the "NCAA"), et
al.,

Defendants.

Case No. C 09-05372 (CW)

DAMIEN RHODES, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION (a/k/a the "NCAA"), et
al.,

Defendants.

Case No. C 09-05378 (CW)

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This matter comes before the Court on Plaintiffs Samuel Michael Keller’s and Edward C. O’Bannon, Jr.’s Joint Motion to Consolidate Actions. The actions, as well as the other above-captioned actions, meet the standard for consolidation pursuant to Rule 42 of the Federal Rules of Civil Procedure, as they share a common question of law or fact.

Upon consideration of the foregoing motion, the papers submitted in support and opposition thereto, and good cause appearing, IT IS HEREBY ORDERED that Plaintiffs’ motion is GRANTED as follows:

The above-captioned actions shall be consolidated onto a single docket and bear the following new civil case number: _____. The consolidated actions shall bear the name *In re NCAA Student-Athlete Name & Likeness Licensing Litigation*.

Plaintiffs’ counsel shall file a Consolidated Amended Complaint within thirty (30) days after issuance of the Court’s last-filed Order on the pending motion to consolidate; the pending motions to dismiss the *Keller* and *O’Bannon* complaints (*Keller* Dkt. Entry Nos. 34, 47, and 48; *O’Bannon* Dkt. Entry Nos. 91, 92); Defendant Electronic Arts, Inc.’s pending motion to strike all causes of action in the *Keller* Complaint (Dkt. Entry No. 35); and Plaintiffs Samuel Michael Keller’s and Edward C. O’Bannon, Jr.’s Motion for Appointment of Interim Co-Lead Counsel Pursuant to Federal Rule of Civil Procedure 23(g)(3) (*Keller* Dkt. Entry No. 81).

IT IS SO ORDERED.

DATED: _____

HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT COURT JUDGE

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Dated: January 11, 2009

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

HAUSFELD LLP

/s/ Robert B. Carey

/s/ Jon T. King

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Counsel for Plaintiff Samuel Michael Keller

*Counsel for Plaintiff Edward Charles
O'Bannon, Jr.*

1 I, Jon T. King, am the ECF User whose ID and password are being used to file this
2 **AMENDED [PROPOSED] ORDER GRANTING PLAINTIFFS SAMUEL MICHAEL
3 KELLER'S AND EDWARD C. O'BANNON, JR.'S JOINT MOTION TO CONSOLIDATE
4 ACTIONS**

5 In compliance with General Order 45, X.B., I hereby attest that Robert B. Carey has
6 concurred in this filing.

7 **CERTIFICATE OF SERVICE**

8 I, Jon T. King, declare that I am over the age of eighteen (18) and not a party to the
9 entitled action. I am a partner in the law firm of HAUSFELD LLP, and my office is located at 44
10 Montgomery Street, Suite 3400, San Francisco, California 94104.

11 On January 11, 2009, I filed the following:

12 **AMENDED [PROPOSED] ORDER GRANTING PLAINTIFFS SAMUEL MICHAEL
13 KELLER'S AND EDWARD C. O'BANNON'S JOINT MOTION TO CONSOLIDATE
14 ACTIONS**

15 with the Clerk of the Court using the Official Court Electronic Document Filing System which
16 served copies on all interested parties registered for electronic filing.

17 I also certify that I caused true and correct Chambers Copies of the foregoing document(s)
18 to be hand-delivered to the following Judge pursuant to Civil L.R. 3-12(b) by noon of the
19 following day:

20 The Hon. Claudia Wilken
21 U.S.D.C., Northern District of California
22 Oakland Division
1301 Clay Street, Suite 400 S
Oakland, CA 94612-5212

23 I declare under penalty of perjury that the foregoing is true and correct.
24

25 /s/ Jon T. King
26 JON T. KING