

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

3
4 U.S. ETHERNET INNOVATIONS, LLC,

No. C 10-3724 CW

5 Plaintiff,

ORDER VACATING
BRIEFING AND
HEARING SCHEDULE
ON APPLE'S MOTION
FOR LEAVE TO FILE
A THIRD AMENDED
COMPLAINT (Docket
No. 685)

6 v.

7 ACER, INC.; ACER AMERICA
8 CORPORATION; APPLE, INC.; ASUS
9 COMPUTER INTERNATIONAL; ASUSTEK
10 COMPUTER, INC.; DELL, INC.;
11 FUJITSU, LTD.; FUJITSU AMERICA,
12 INC.; GATEWAY, INC.; HEWLETT
13 PACKARD CO.; SONY CORPORATION;
14 SONY CORPORATION OF AMERICA; SONY
15 ELECTRONICS INC.; TOSHIBA
16 CORPORATION; TOSHIBA AMERICA,
17 INC.; and TOSHIBA AMERICA
18 INFORMATION SYSTEMS, INC.,

19 Defendants.

20 INTEL CORPORATION; NVIDIA
21 CORPORATION; MARVELL
22 SEMICONDUCTOR, INC.; Atheros
23 COMMUNICATIONS, INC.; and
24 BROADCOM CORPORATION,

25 Intervenors.

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On January 17, 2013, the Court issued an order, among other things, directing the non-stayed parties to file a joint case management statement setting forth their proposed schedules for future dates in the above-captioned case and its related cases. Docket No. 680. At that time, the Court stated, "Except in emergency situations, no additional motions shall be filed until a case management schedule has been adopted." Id. at 8.

On February 5, 2013, Defendant Apple, Inc. filed a motion for leave to file a third-party complaint against Oracle America, Inc.

1 Docket No. 685. Apple has not argued or shown that this motion
2 addresses an "emergency situation."

3 The Court has not yet adopted a case management order.
4 Accordingly, the current briefing and hearing schedule on Apple's
5 motion for leave is vacated and no opposition is due at this time.
6 The Court will reset the briefing schedule in the case management
7 order.

8 IT IS SO ORDERED.

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10 Dated: 2/12/2013


11 CLAUDIA WILKEN
12 United States District Judge
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