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 14 Nintendo of America Inc.

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **OAKLAND DIVISION**

18 **OLYMPIC DEVELOPMENTS AG, LLC,**

Case No. 4:11-cv-00329-SBA

19 **Plaintiff,**

20 **v.**

**AMENDED ORDER DENYING
 ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASE
 SHOULD BE RELATED**

21 **NINTENDO OF AMERICA INC.,**

22 **Defendants.**

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 [PROPOSED] ORDER DENYING ADMINISTRATIVE MOTION TO
 CONSIDER WHETHER CASE SHOULD BE RELATED

CASE NO. 4:11-CV-00329-SBA

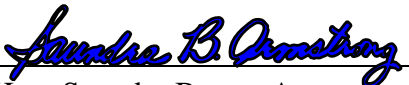
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2 On April 7, 2011, Plaintiff Olympic Developments AG, LLC (“Olympic”) filed an
3 Administrative Motion To Consider Whether Case Should Be Related. Specifically, Olympic
4 requests that this Court consider whether the instant case should be related to *Olympic*
5 *Developments AG, LLC v. Sony Computer Entertainment of America*, Case No. 3:11-cv-01080-
6 JCS, and *Olympic Developments AG, LLC v. Amazon.com*, Case No. 3:11-cv-01655-EMC. Case
7 No. 3:11-cv-01655-EMC involves Defendant Apple, Inc. In Case No. 3:11-cv-00329, Defendant
8 Nintendo of America Inc. (“NOA”) filed an Opposition to Olympic’s Motion on April 11, 2011.

9 Having reviewed Olympic’s Motion, NOA’s Opposition, the files and records of this Court,
10 the Court hereby finds that the three cases involve different parties and different accused products,
11 and therefore do not concern substantially the same property, transaction or event as required by
12 LR 3-12(a)(1). Moreover, because the defendants and accused products are different, and because
13 the defendants are likely to have competing interests and strategies, and are entitled to present
14 individualized assaults on questions of non-infringement, invalidity, and claim construction,
15 conducting the cases before different judges is not likely to cause unduly burdensome duplication
16 of labor and expense or potentially conflicting results.

17 The Court therefore DENIES Olympic’s Administrative Motion To Consider Whether Case
18 Should Be Related.

19 IT IS SO ORDERED.

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21 Date: 4/20/11

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23 _____
24 Hon. Sandra Brown Armstrong
25 United States Judge
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