

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

NDX ADVISORS INC,

Plaintiff,

v.

ADVISORY FINANCIAL CONSULTANTS,

Defendant.

No. C 11-3234 SBA

JUDICIAL REFERRAL  
 FOR PURPOSES OF  
 DETERMINING  
 RELATIONSHIP OF  
 CASES

NDX ADVISORS INC, et al.,

Plaintiffs,

v.

ANDREW BALISTRERI, et al.,

Defendants.

No. C 12-0309 CW

Pursuant to Civil Local Rule 3-12(c), this Court, sua sponte, refers the above referenced cases to Judge Sandra Brown Armstrong to consider whether they are related. The parties may respond to this referral, opposing or supporting relating the cases, within four days of the date of this order, in briefs submitted in accordance with the requirements set forth in Civil Local Rule 7-11(b).

The Court notes that the cases were separately transferred to the Northern District of California from the Northern District of Illinois. Although the two cases had not been administratively

United States District Court  
 For the Northern District of California


1 related in that District, in deciding to transfer the Balistreri  
2 matter, Judge Norgle found that, because the Advisory Financial  
3 Consultants matter had already been transferred to this District,  
4 "the interests of justice would be better served by" transferring  
5 the Balistreri case here as well, to avoid duplication and  
6 possible conflicts. Docket No. 131, Balistreri, Case No. 12-309,  
7 11.

8  
9 The case management conference previously set for Wednesday,  
10 May 9, 2012, is continued to Wednesday, June 6, 2012, at 2:00  
11 p.m., to allow time to determine whether these cases will be  
12 related. The Court notes that the parties had not timely filed  
13 joint or separate case management conference statements for the  
14 May 9 conference. Statements for the continued conference are due  
15 May 30, 2012. If the cases are related, the conference may be  
16 rescheduled.

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18 IT IS SO ORDERED.

19 Dated: 5/7/2012

20 cc: SBA

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CLAUDIA WILKEN  
United States District Judge