

United States District Court
For the Northern District of California

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

IAN DUBEE, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

P.F. CHANG’S CHINA BISTRO, INC., P.F. CHANG’S
III, LLC, and DOES 1 through 100, inclusive,

Defendants.

_____ /

ZACHARY MORVANT, JEAN ANDREWS, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

P.F. CHANG’S CHINA BISTRO, INC., P.F. CHANG’S
III, LLC, and DOES 1 through 100, inclusive,

Defendants.

_____ /

No. C 10-01937 WHA
No. C 11-05405 DMR

**ORDER FINDING CASES
ARE NOT RELATED**

Defendants P.F.Chang’s China Bistro, Inc, and P.F. Chang’s III, LLC, filed an
administrative motion to consider whether *Dubee v. P.F. Chang’s China Bistro, Inc., et al.*, C 10-
01937 WHA, should be related to *Morvant v. P.F. Chang’s China Bistro, Inc., et al.*, C 11-05405
DMR. By order dated October 28, 2011, the *Morvant* action was transferred from the United
States District Court for the Eastern District of California to the Northern District of California.
Transfer was ordered based on the conclusion that transfer to the Northern District would be in

1 the interest of the convenience of the parties and witnesses and the conclusion that the
2 undersigned judge has familiarity with the case and applicable law due to the fact that he presided
3 over the *Dubee* action, which the order found has similar facts, claims, counsel, and purported
4 class as the *Morvant* action.

5 Having reviewed the two case files, the undersigned judge finds that these two actions are
6 not related within the meaning of Civil Local Rule 3-12. The only issues the undersigned judge
7 addressed in the earlier action were related to a motion to transfer and two discovery disputes,
8 both of which involved disputes related to the preliminary steps in the discovery process —
9 namely initial disclosures and responses to the first set of interrogatories and request for
10 production of documents. Because the *Dubee* action settled before the undersigned judge was
11 able to reach issues related to the merits of the underlying class allegations, no duplication of
12 effort will result from leaving the assignment of the newer action undisturbed, even given the
13 above-stated similarities between the two actions.

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IT IS SO ORDERED.



Dated: November 28, 2011.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE