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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAP AMERICA, INC.,
Plaintiff,
v.
LAKSHMI ARUNACHALAM,
Defendant.

Case No. 13-cv-01248-PJH

**ORDER DENYING CONSIDERATION
OF DEFENDANT’S FILINGS**

Re: Dkt. Nos. 111, 113

This court is in receipt of defendant counter-claimant Lakshmi Arunachalam’s (“defendant”) “Motion for District Court Judge to Follow Suit with Six Supreme Court Justices Who Took No Part in the Decision of Dr. Lakshmi Arunachalam’s Petition in S. Ct. Case No. 19-1983,” Dkt. 111, and “Notice to Clerk of 28 U.S.C. § 2403 Constitutional Question/Challenge in This Action Wherein the Constitutionality of Certain Acts of Congress Affecting the Public Interest Is Drawn in Question,” Dkt. 113.

On April 2, 2019, the court granted summary judgment for plaintiff counter-defendant SAP America, Inc., Dkt. 102, and subsequently entered judgment, Dkt. 103. On April 17, 2019, defendant filed a notice of appeal to the United States Court of Appeals for the Federal Circuit (“Federal Circuit”). Dkt. 106. On May 1, 2019, the court granted defendant’s motion for leave to proceed in forma pauperis for purpose of her appeal. Dkt. 110.

Defendant’s appeal remains pending before the Federal Circuit. SAP America, Inc. v. Arunachalam, 19-1974. The filing of a notice of appeal divests a district court of jurisdiction to consider aspects of the case involved in the appeal. Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) (“The filing of a notice of appeal is an event

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of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.”).

The court will not consider the aforementioned or any future filings unless this case is remanded by the Federal Circuit.

IT IS SO ORDERED.

Dated: December 18, 2019

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge