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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**NETLIST, INC.,**

**Plaintiff,**

**vs.**

**SMART STORAGE SYSTEMS, INC., SMART  
WORLDWIDE HOLDINGS, INC., DIABLO  
TECHNOLOGIES, INC.,**

**Defendants.**

**Case No.: 13-cv-05889 YGR**

**ORDER RE: CONSOLIDATION AND  
COORDINATION OF CASES**

11 On March 4, 2014, plaintiff Netlist, Inc. filed a motion to Consolidate/Coordinate Related  
12 Cases under Rule 42(a)(2). The motion seeks to consolidate Related Case Nos. 4:13-CV-05889-  
13 YGR and 4:13-CV-03901-YGR (collectively, the "Patent Cases") and to coordinate discovery with  
14 Related Case No. 4:13-CV-05962-YGR (the "Trade Secret Case").

15 The parties agree that the Patent Cases should be consolidated and that they should, at a  
16 minimum, be coordinated with the Trade Secret Case. The dispute stems from the whether the Trade  
17 Secret Case should also be consolidated.


18 Having considered the parties' arguments, and good cause appearing, the motion is  
19 **GRANTED**. The Court **ORDERS** as follows:

20 (1) 4:13-CV-05889-YGR and 4:13-CV-03901-YGR are **CONSOLIDATED** for all purposes.  
21 Case No. 4:13-CV-05889-YGR shall be the lead case number, and all further filings shall be in the  
22 lead case number only. Case number 4:13-CV-03901-YGR shall be administratively closed.

23 (2) The parties **SHALL COORDINATE** discovery in Related Case Nos. 4:13-CV-05889-YGR,  
24 4:13-CV-03901-YGR, and 4:13-CV-05962-YGR. The request to consolidate 4:13-CV-05962 is  
25 **DENIED** without prejudice to renewing the request at a later point in the proceedings.

26 **IT IS SO ORDERED.**

27 Dated: April 8, 2014

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

United States District Court  
Northern District of California