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United States District Court  
Northern District of California

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

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


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

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

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

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

**IT IS SO ORDERED.**  
Dated: April 8, 2014

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE