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28United States District Court
Northern District of CaliforniaUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA


NORTH STAR GAS COMPANY,
Plaintiff,
v.
PACIFIC GAS AND ELECTRIC
COMPANY, et al.,
Defendants.

Case No. [15-cv-02575-HSG](#)**ORDER DIRECTING PLAINTIFF TO
FILE STATEMENT**

Defendant's motion to dismiss the First Amended Complaint ("MTD") is pending in this matter. Among other things, the MTD seeks dismissal of Plaintiff's Section 2 Sherman Act claim alleging attempted monopolization. The Court notes that on May 19, 2017, the plaintiff in the action titled United Energy Trading, LLC v. Pac. Gas and Elec., 15-cv-2383, stipulated to dismissal of the substantially similar Section 2 Sherman Act claim in that case. The Court further notes that the plaintiff in United Energy Trading is represented by the same counsel who represent Plaintiff in this case. Accordingly, the Court **DIRECTS** Plaintiff to file a statement by August 31, 2017 indicating whether it seeks to continue to pursue the Section 2 Sherman Act claim in this case. If Plaintiff seeks to pursue this claim, Plaintiff should explain what, if any, circumstances distinguish this case from United Energy Trading.

IT IS SO ORDERED.

Dated: 8/29/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge