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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

QUALCOMM INCORPORATED,  
Plaintiff,  
v.  
APPLE INCORPORATED,  
Defendant.

Case No.19-mc-80057-VKD

**ORDER REFERRING CASE AND  
REQUEST TO CONSIDER WHETHER  
CASES ARE RELATED**

On January 18, 2019, Qualcomm Incorporated (“Qualcomm”) issued a subpoena pursuant to Rule 45 of the Federal Rules of Civil Procedure on Intel Incorporated (“Intel”) in connection with a pending action in the Southern District of California (*Qualcomm v. Apple Inc.*, Case No. 3:17-cv-02398 (S.D. Cal.)). Dkt. No. 1 at 1. The subpoena required Intel to produce certain documents and things, as well as produce a witness for deposition. Dkt. No. 2, Exh. A. On February 8, 2019, Intel filed a motion to quash the deposition portion of the subpoena in the Northern District of California. The miscellaneous action associated with that motion was assigned to Judge Westmore, Case No. 19-mc-80038 (KAW). Dkt. No. 1 at 2 n.1. On March 6, 2019, Qualcomm filed a motion to compel Intel to comply with the document production portion of the same subpoena, and the miscellaneous action associated with that motion was assigned to the undersigned. Dkt. No. 1.

Pursuant to Civil Local Rule 3-12(c), the undersigned refers this action to Judge Westmore to consider whether the cases are related.

**IT IS SO ORDERED.**

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Dated: March 12, 2019

*Virginia K. DeMarchi*  
VIRGINIA K. DEMARCHI  
United States Magistrate Judge