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7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 In the Matter of DIRECTV, INC. Cases  
 Pending in the Northern District of  
 12 California

Case No. See attached list<sup>1</sup>

**PLAINTIFF DIRECTV, INC.'S RESPONSE TO  
 ORDER RE ASSIGNMENT AND RELATION  
 OF CASES**

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 14  
 15 Plaintiff DIRECTV, Inc. ("DIRECTV") respectfully submits the following Response to  
 16 the Order Re Assignment and Relation of Cases ("Order") entered by the Honorable Marilyn  
 17 Hall Patel on September 2, 2004 in all DIRECTV cases pending in the Northern District:

18 DIRECTV recently re-filed approximately 115 separate Complaints in response to Judge  
 19 James Ware's June 26, 2004 Order dismissing all but the first-named defendant in each  
 20 DIRECTV action pending in this District and permitting DIRECTV to re-file separate actions  
 21 against all such dismissed defendants on or before August 26, 2004. With each of these  
 22 Complaints, DIRECTV filed a Notice of Related Case, indicating the case in which each newly  
 23 separated defendant previously had been named. These Notices of Related Case were filed at the  
 24 express direction of two Northern District Court judges who had instructed DIRECTV to file  
 25 such Notices in the cases pending before them.

26 Specifically, DIRECTV was directed on July 28, 2004 and August 10, 2004 by the

27 <sup>1</sup> Although the Order to which this pleading responds was filed in every DIRECTV case in  
 28 the Northern District, this response will be filed only in those cases in which a Notice of Related  
 Case was filed, as the Order affects only those cases.

1 Honorable Edward Chen and Elizabeth D. LaPorte, respectively, to file Notices of Related Case  
2 in all actions re-filed pursuant to Judge Ware's July 26, 2004 Order against defendants in cases  
3 then pending before them.<sup>2</sup> These directions were given to DIRECTV at the only hearings  
4 addressing the issue that occurred between the July 26, 2004 entry of Judge Ware's Order and  
5 the August 26, 2004 re-filing deadline. DIRECTV had no reason to believe that Judges Chen  
6 and LaPorte would be alone in their instruction to file Notices of Related Case. To the contrary,  
7 DIRECTV reasonably believed that this District desired to treat the procedural issues affecting  
8 the DIRECTV cases uniformly and filed the Notices of Related Case in all re-filed actions  
9 consistent with that understanding and with its understanding of the related case device in this  
10 District.

11 As evidenced by the foregoing, DIRECTV did not file the Notices of Related Case to in  
12 any way irritate the Court or abuse its related case rules. Rather, the Notices were filed only in  
13 response to what DIRECTV believed to be clear instructions from the Court.

14 Dated: September 17, 2004

BUCHALTER, NEMER, FIELDS & YOUNGER  
A Professional Corporation

16 /s/

17 By: \_\_\_\_\_  
Suzanne M. Burke  
18 Attorneys for Plaintiff DIRECTV, Inc.

24 \_\_\_\_\_  
25 <sup>2</sup> The proceedings were each Case Management Conferences. The conferences conducted  
26 by the Honorable Edward Chen on July 28, 2004 took place in the following matters: DIRECTV,  
27 Inc. v. Childs, et al., Case No. 03-CV-04880 EMC; DIRECTV, Inc. v. Ciraulo, et al., Case No.  
28 03-CV-04187 EMC; and DIRECTV, Inc. v. Whittaker, et al., Case No. 03-CV-02339 EMC. The  
conference before the Honorable Elizabeth D. LaPorte on August 10, 2004 was conducted in  
DIRECTV, Inc. v. Yuschkenoff, et al., Case No. 03-CV-5332 EDL. DIRECTV has requested the  
transcripts of these hearings and would be pleased to provide the transcriptions to the Court  
should the Court desire.

<b>CASE NAME</b>	<b>CASE NUMBER</b>
<i>DIRECTV, Inc. v. Agnew, et al.</i>	03-CV-02199 MEJ
<i>DIRECTV, Inc. v. Aguilar</i>	04-CV-03613 JW
<i>DIRECTV, Inc. v. Alberti, et al.</i>	03-CV-04148 BZ
<i>DIRECTV, Inc. v. Argueta</i>	04-CV-03568 VRW
<i>DIRECTV, Inc. v. Arnold</i>	04-CV-03493 SC
<i>DIRECTV, Inc. v. Arychuk</i>	04-CV-03429 MEJ
<i>DIRECTV, Inc. v. Augustin, et al.</i>	03-CV-05314 JW
<i>DIRECTV, Inc. v. Baird</i>	04-CV-03495 TEH
<i>DIRECTV, Inc. v. Barr</i>	04-CV-03599 WHA
<i>DIRECTV, Inc. v. Barrera</i>	04-CV-03464 CW
<i>DIRECTV, Inc. v. Bashiri, et al.</i>	03-CV-04142 MEJ
<i>DIRECTV, Inc. v. Bello</i>	04-CV-03596 SC
<i>DIRECTV, Inc. v. Bergstrom, et al.</i>	03-CV-04175 EDL
<i>DIRECTV, Inc. v. Bethke, et al.</i>	03-CV-05403 JSW
<i>DIRECTV, Inc. v. Biondich</i>	04-CV-03497 VRW
<i>DIRECTV, Inc. v. Bittner, et al.</i>	02-CV-05912 JW
<i>DIRECTV, Inc. v. Bonilla, et al.</i>	03-CV-02221 JCS
<i>DIRECTV, Inc. v. Booher, et al.</i>	03-CV-04154 JW EAI
<i>DIRECTV, Inc. v. Bowden, et al.</i>	03-CV-04172 JW
<i>DIRECTV, Inc. v. Brostrom, et al.</i>	03-CV-02320 SBA
<i>DIRECTV, Inc. v. Bruneel</i>	04-CV-03595 JL
<i>DIRECTV, Inc. v. Buckman, et al.</i>	03-CV-02309 BZ
<i>DIRECTV, Inc. v. Call, Brian</i>	04-CV-03492 MMC
<i>DIRECTV, Inc. v. Carpenter, M., et al.</i>	03-CV-05247 EMC
<i>DIRECTV, Inc. v. Carpenter, S.</i>	04-CV-03567 CW
<i>DIRECTV, Inc. v. Cazzalli, et al.</i>	03-CV-05318 VRW
<i>DIRECTV, Inc. v. Cerda, et al.</i>	03-CV-02194 RMW HRL
<i>DIRECTV, Inc. v. Chau,</i>	04-CV-03487 RMW
<i>DIRECTV, Inc. v. Chavez,</i>	04-CV-03401 RMW
<i>DIRECTV, Inc. v. Choi,</i>	04-CV-03428 CRB
<i>DIRECTV, Inc. v. Chu, et al.</i>	03-CV-02234 HRL
<i>DIRECTV, Inc. v. Chung</i>	04-CV-03488 JW
<i>DIRECTV, Inc. v. Ciraulo, et al.</i>	03-CV-04187 EMC
<i>DIRECTV, Inc. v. Cleveland, et al.</i>	03-CV-04180 WDB
<i>DIRECTV, Inc. v. Clink, et al.</i>	03-CV-04170 JW
<i>DIRECTV, Inc. v. Colmer</i>	04-CV-03609 RS
<i>DIRECTV, Inc. v. Cortes</i>	04-CV-03494 MJJ

<i>DIRECTV, Inc. v. Cortez, et al.</i>	03-CV-05306 EMC
<i>DIRECTV, Inc. v. Deeth</i>	04-CV-03489 RS
<i>DIRECTV, Inc. v. Del Rosario, et al.</i>	03-CV-05352 JW
<i>DIRECTV, Inc. v. Dentice</i>	04-CV-03517 JW
<i>DIRECTV, Inc. v. Dhanota, et al.</i>	03-CV-04155 PVT
<i>DIRECTV, Inc. v. Dick</i>	04-CV-03566 JSW
<i>DIRECTV, Inc. v. Dike, et al.</i>	03-CV-02173 PVT
<i>DIRECTV, Inc. v. Doan, et al.</i>	03-CV-02223 MMC
<i>DIRECTV, Inc. v. Dominguez</i>	04-CV-03597 VRW
<i>DIRECTV, Inc. v. Doral</i>	04-CV-03461 VRW
<i>DIRECTV, Inc. v. Drummer, et al.</i>	03-CV-04144 MEJ
<i>DIRECTV, Inc. v. Hadley, et al.</i>	03-CV-02264 PVT
<i>DIRECTV, Inc. v. Vierra, et al.</i>	03-CV-02307 SC
<i>DIRECTV, Inc. v. Esget</i>	04-CV-03560 PVT
<i>DIRECTV, Inc. v. Fink, et al.</i>	03-CV-04873 JW HRL
<i>DIRECTV, Inc. v. Fong, et al.</i>	03-CV-04181 MHP
<i>DIRECTV, Inc. v. Fromme, et al.</i>	03-CV-02387 SBA
<i>DIRECTV, Inc. v. Gauthier</i>	04-CV-03424 MJJ
<i>DIRECTV, Inc. v. Gill, et al.</i>	03-CV-04136 BZ
<i>DIRECTV, Inc. v. Gofron</i>	04-CV-03564 MJJ
<i>DIRECTV, Inc. v. Gonzalez</i>	04-CV-03423 FMS
<i>DIRECTV, Inc. v. Graves, et al.</i>	03-CV-05249 EMC
<i>DIRECTV, Inc. v. Green</i>	04-CV-03565 BZ
<i>DIRECTV, Inc. v. Haa, et al.</i>	03-CV-04183 SC
<i>DIRECTV, Inc. v. Haag</i>	04-CV-03608 RMW
<i>DIRECTV, Inc. v. Hadley, et al.</i>	03-CV-02264 RM
<i>DIRECTV, Inc. v. Hammond</i>	04-CV-03462 JSW
<i>DIRECTV, Inc. v. Haney</i>	04-CV-03561 RMW
<i>DIRECTV, Inc. v. Hatam</i>	04-CV-03562 JW
<i>DIRECTV, Inc. v. Hernandez</i>	04-CV-03426 MMC
<i>DIRECTV, Inc. v. High, et al.</i>	03-CV-04882 JSW
<i>DIRECTV, Inc. v. Ho, et al.</i>	03-CV-03455 JCS
<i>DIRECTV, Inc. v. Hong, Durk aka Doug Hong</i>	04-CV-03529 JSW
<i>DIRECTV, Inc. v. Huynh, et al.</i>	03-CV-02166 RMW HRL
<i>DIRECTV, Inc. v. Huynh, Hoa</i>	04-CV-03496 CRB
<i>DIRECTV, Inc. v. Huynh, Jimmy</i>	04-CV-03594 MEJ
<i>DIRECTV, Inc. v. Huynh, Vinh</i>	04-CV-03441 RMW
<i>DIRECTV, Inc. v. Joseph, Matthew</i>	04-CV-03400 HRL
<i>DIRECTV, Inc. v. Jurin, et al.</i>	03-CV-02319 MMC BZ
<i>DIRECTV, Inc. v. Kaloustain</i>	04-CV-03427 SBA

<i>DIRECTV, Inc. v. Kegley</i>	04-CV-03611 RMW
<i>DIRECTV, Inc. v. Lam</i>	04-CV-03430 VRW
<i>DIRECTV, Inc. v. Lang, et al.</i>	03-CV-02175 PVT
<i>DIRECTV, Inc. v. Le, David</i>	04-CV-03612 HRL
<i>DIRECTV, Inc. v. Le, Doung</i>	04-CV-03399 HRL
<i>DIRECTV, Inc. v. Le, Sang</i>	04-CV-03621 JW
<i>DIRECTV, Inc. v. Le, The N.</i>	04-CV-03402 JW
<i>DIRECTV, Inc. v. Lee, et al.</i>	03-CV-04151 JL
<i>DIRECTV, Inc. v. Lee, Gabe</i>	04-CV-03617 SI
<i>DIRECTV, Inc. v. Lee, Tim</i>	04-CV-03598 EDL
<i>DIRECTV, Inc. v. Livian, et al.</i>	03-CV-05334 JW
<i>DIRECTV, Inc. v. Locke</i>	04-CV-03463 WHA
<i>DIRECTV, Inc. v. Lopez</i>	04-CV-03498 WHA
<i>DIRECTV, Inc. v. Ly</i>	04-CV-03460 PJH
<i>DIRECTV, Inc. v. Makiyama</i>	04-CV-03570 EMC
<i>DIRECTV, Inc. v. Malyala, et al.</i>	03-CV-04169 JW
<i>DIRECTV, Inc. v. Miceli, et al.</i>	03-CV-05296-BZ CRB
<i>DIRECTV, Inc. v. Miles, et al.</i>	03-CV-04177 JL
<i>DIRECTV, Inc. v. Mineissi</i>	04-CV-03416 EDL
<i>DIRECTV, Inc. v. Mirador, et al.</i>	03-CV-05323 WHA
<i>DIRECTV, Inc. v. Moeller, et al.</i>	03-CV-05251 EDL
<i>DIRECTV, Inc. v. Molascon</i>	03-CV-04179 MMC
<i>DIRECTV, Inc. v. Monela</i>	04-CV-03414 MJJ
<i>DIRECTV, Inc. v. Monk, et al.</i>	03-CV-02386 WDB
<i>DIRECTV, Inc. v. Nguyen, Binh</i>	04-CV-03451 CRB
<i>DIRECTV, Inc. v. Nguyen, Brian</i>	04-CV-03405 PVT
<i>DIRECTV, Inc. v. Nguyen, Douglas</i>	04-CV-03415 CW
<i>DIRECTV, Inc. v. Nguyen, Hiep</i>	04-CV-03403 HRL
<i>DIRECTV, Inc. v. Nguyen, Hung</i>	04-CV-03450 RS
<i>DIRECTV, Inc. v. Nguyen, Kenny</i>	04-CV-03469 JW
<i>DIRECTV, Inc. v. Nguyen, Khoa</i>	04-CV-03455 SC
<i>DIRECTV, Inc. v. Nguyen, Minh</i>	04-CV-03446 CW
<i>DIRECTV, Inc. v. Nguyen, Nam</i>	04-CV-03557 JW
<i>DIRECTV, Inc. v. Nguyen, Thuan</i>	04-CV-03571 SC
<i>DIRECTV, Inc. v. Nguyen, Troung</i>	04-CV-03556 RMW
<i>DIRECTV, Inc. v. Nicolaus</i>	04-CV-03572 WHA
<i>DIRECTV, Inc. v. Normal, et al.</i>	03-CV-02224 MMC
<i>DIRECTV, Inc. v. Oliver</i>	04-CV-03454 SBA
<i>DIRECTV, Inc. v. Olson</i>	04-CV-03418 PJH
<i>DIRECTV, Inc. v. Ortiz, et al.</i>	03-CV-02239 EDL

<i>DIRECTV, Inc. v. Palmer</i>	04-CV-03421 PJH
<i>DIRECTV, Inc. v. Pan</i>	04-CV-03528 WDB
<i>DIRECTV, Inc. v. Parilla</i>	04-CV-03589 JW
<i>DIRECTV, Inc. v. Parkinson, D.</i>	04-CV-03413 CRB
<i>DIRECTV, Inc. v. Perez, M.</i>	04-CV-03519 PVT
<i>DIRECTV, Inc. v. Perez, R.</i>	04-CV-03457 CW
<i>DIRECTV, Inc. v. Perry, et al.</i>	03-CV-02222 JL
<i>DIRECTV, Inc. v. Pettit, et al.</i>	03-CV-05321 PJH
<i>DIRECTV, Inc. v. Pham</i>	04-CV-03466 PVT
<i>DIRECTV, Inc. v. Phan</i>	04-CV-03444 HRL
<i>DIRECTV, Inc. v. Phillips</i>	04-CV-03593 JL
<i>DIRECTV, Inc. v. Pink, et al.</i>	03-CV-02343 RMW
<i>DIRECTV, Inc. v. Do, Quincy, et al.</i>	03-CV-02340 JW
<i>DIRECTV, Inc. v. Quintero</i>	04-CV-03623 CW
<i>DIRECTV, Inc. v. Quinteros</i>	04-CV-03573 SI
<i>DIRECTV, Inc. v. Quiroga</i>	04-CV-03590 FMS
<i>DIRECTV, Inc. v. Ramos</i>	04-CV-03459 RMW
<i>DIRECTV, Inc. v. Rice</i>	04-CV-03574 SBA
<i>DIRECTV, Inc. v. Robertson</i>	04-CV-03447 JCS
<i>DIRECTV, Inc. v. Rodgers, et al.</i>	03-CV-05299 BZ
<i>DIRECTV, Inc. v. Rodriguez, E.</i>	04-CV-03616 RMW
<i>DIRECTV, Inc. v. Rodriguez, R.</i>	04-CV-03407 JW
<i>DIRECTV, Inc. v. Roloff, et al.</i>	03-CV-02337 JCS
<i>DIRECTV, Inc. v. Romero</i>	04-CV-03592 RMW
<i>DIRECTV, Inc. v. Ryner</i>	04-CV-03453 EMC
<i>DIRECTV, Inc. v. San Felipe</i>	04-CV-03575 PJH
<i>DIRECTV, Inc. v. Satar, et al.</i>	03-CV-05401 EDL MED
<i>DIRECTV, Inc. v. Saxton, et al.</i>	03-CV-05301 PVT
<i>DIRECTV, Inc. v. Scatena</i>	04-CV-03600 PVT
<i>DIRECTV, Inc. v. Sentous</i>	04-CV-03558 RMW
<i>DIRECTV, Inc. v. Serena</i>	04-CV-03458 MHP
<i>DIRECTV, Inc. v. Shipley, et al.</i>	03-CV-05250 BZ
<i>DIRECTV, Inc. v. Silva</i>	04-CV-03601 RMW
<i>DIRECTV, Inc. v. Silvnyak, et al.</i>	03-CV-05329 MMC
<i>DIRECTV, Inc. v. Sit</i>	04-CV-03456 TEH
<i>DIRECTV, Inc. v. Smith, D.</i>	04-CV-03411 FMS
<i>DIRECTV, Inc. v. Smith, J.</i>	04-CV-03591 PJH
<i>DIRECTV, Inc. v. Solari, et al.</i>	03-CV-05311 SBA
<i>DIRECTV, Inc. v. Sondgroth</i>	04-CV-03442 JW
<i>DIRECTV, Inc. v. Steely, et al.</i>	03-CV-02311 VRW

<i>DIRECTV, Inc. v. Suder</i>	04-CV-03448 FMS
<i>DIRECTV, Inc. v. Tabrizi, et al.</i>	03-CV-05347 JW
<i>DIRECTV, Inc. v. Taillefer, et al.</i>	03-CV-04187 BZ
<i>DIRECTV, Inc. v. Tannebaum, et al.</i>	03-CV-04132 PJH
<i>DIRECTV, Inc. v. Thai</i>	04-CV-03471 HRL
<i>DIRECTV, Inc. v. Thang, R.</i>	04-CV-03417 EMC
<i>DIRECTV, Inc. v. Thang, T.</i>	04-CV-03452 MJJ
<i>DIRECTV, Inc. v. Titus</i>	04-CV-03420 JCS
<i>DIRECTV, Inc. v. Tran, C.</i>	04-CV-03404 RS
<i>DIRECTV, Inc. v. Tran, Thuan</i>	04-CV-03467 RMW
<i>DIRECTV, Inc. v. Tran, Tuan</i>	04-CV-03602 JW
<i>DIRECTV, Inc. v. Truong, et al.</i>	03-CV-04138 JW PVT
<i>DIRECTV, Inc. v. Tse</i>	04-CV-03449 MMC
<i>DIRECTV, Inc. v. Tsuji</i>	04-CV-03445 SC
<i>DIRECTV, Inc. v. Tu, Scott</i>	04-CV-03465 JW
<i>DIRECTV, Inc. v. Tyde</i>	04-CV-03577 EDL
<i>DIRECTV, Inc. v. Van</i>	04-CV-03603 HRL
<i>DIRECTV, Inc. v. Vargas, et al.</i>	03-CV-05302 BZ
<i>DIRECTV, Inc. v. Verducci, et al.</i>	03-CV-02312 MEJ
<i>DIRECTV, Inc. v. Vierra, et al.</i>	03-CV-02307 SC
<i>DIRECTV, Inc. v. Wade</i>	04-CV-03578 CRB
<i>DIRECTV, Inc. v. Ward</i>	04-CV-03412 JL
<i>DIRECTV, Inc. v. Weightman, et al.</i>	03-CV-02377 JW EAI
<i>DIRECTV, Inc. v. Werthmann</i>	04-CV-03605 JW
<i>DIRECTV, Inc. v. Wheeler, et al.</i>	03-CV-05303 MEJ
<i>DIRECTV, Inc. v. White, et al.</i>	03-CV-02308 MEJ
<i>DIRECTV, Inc. v. Whittaker, et al.</i>	03-CV-02339 EMC
<i>DIRECTV, Inc. v. William, U.</i>	04-CV-03491 FMS
<i>DIRECTV, Inc. v. Williams, N.</i>	04-CV-03406 RMW
<i>DIRECTV, Inc. v. Yeom, et al.</i>	03-CV-03455 JCS
<i>DIRECTV, Inc. v. Yu</i>	04-CV-03530 MMC
<i>DIRECTV, Inc. v. Zaia, et al.</i>	03-CV-04150 JW PVT
<i>DIRECTV, Inc. v. Zanardelli</i>	04-CV-03618 JW
<i>DIRECTV, Inc. v. Zentner</i>	04-CV-03422 WHA