

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Steven Nakash, et al.,
_____ /

NO. C 08-04312 JW
NO. C 08-04332 JF
NO. C 08-04596 RS

Inicom Networks, Inc.,
_____ /

NO. C 08-05082 HRL
NO. C 08-05179 HRL
NO. C 08-05217 PVT

Todd Feinstein,
_____ /

NO. C 08-05520 JF
NO. C 08-05081 RMW

Jordan Cormier,
_____ /

NO. C 09-00260 JW
NO. C 09-00295 PVT
NO. C 09-00328 RMW

National Business Officers Association, Inc.,
_____ /

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE; ORDER
RELATING CASE**

Brent West,
_____ /

Louis Olivos,
_____ /

Milosz Sielicki,
_____ /

Katherine Decker,
_____ /

Tracy LeBlanc,
_____ /

Plaintiffs,
v.
NVIDIA Corp., Hewlett Packard,
Defendants.

_____ /

1 On February 23, 2009, the Court conducted a Case Management Conference concerning the
2 above entitled related cases except for Leblanc v. Hewlett Packard, Co., C 09-0328 JW, which was
3 related on February 20, 2009, and Decker v. Hewlett Packard Co., C 09-0295 PVT, which has not
4 yet been related to these actions. Counsel for the respective parties were present. In light of the
5 discussion at the conference, the Court orders as follows:

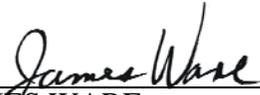
- 6 (1) Based on the parties' representations and the Court's evaluation of the Complaint
7 filed in Decker v. Hewlett Packard, the Court finds that Decker is related to all of the
8 above entitled cases within the meaning of Civ. L.R. 3-12. Accordingly, the Court,
9 *sua sponte*, orders Decker related to these actions.
- 10 (2) While the Court favors consolidation of these cases, various Plaintiffs expressed a
11 desire to brief the Court on whether consolidation should be for all purposes or only
12 for pretrial coordination. The Court will give all parties an opportunity to brief this
13 issue. However, to ease potential multiple filings in various dockets, the Court
14 ORDERS these cases consolidated into one action and reserves a determination on
15 the scope of consolidation until the completion of the briefings. The Clerk of Court
16 shall consolidate these actions such that the earlier filed action, C 08-04312 JW, is
17 the lead case. All future filings, including the motions set forth below, shall be filed
18 in C 08-04312 JW and bear the caption: "The NVIDIA GPU Litigation." The Court
19 will order the Clerk to administratively close all the other cases once it determines the
20 scope of consolidation.
- 21 (3) The Court sets the following schedule to advance this case:

Deadline to File Brief re: the Scope of Consolidation	March 2, 2009
Deadline to File a Motion for Appointment of Interim Lead Counsel	March 2, 2009
Deadline to File Oppositions to Motions for Appointment of Interim Lead Counsel	March 6, 2009
Deadline to File Replies for Motions for Appointment of Interim Lead Counsel	March 11, 2009

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Hearing on Motions for Appointment of Interim Lead Counsel	March 16, 2009 at 9 a.m.
Deadline to File Amended Consolidated Complaint	May 6, 2009
Interim Case Management Conference	May 18, 2009 at 10 a.m.
Interim Case Management Conference Statement <i>The Statement shall include, among other things, the parties' good faith discovery plan with a proposed date the close of all discovery.</i>	May 8, 2009

Dated: February 25, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Alan McQuarrie Mansfield alan@rosnerandmansfield.com
Alreen Haeggquist alreenh@zhlaw.com
3 Christopher C. Loeber cloeber@morganlewis.com
Christopher Clinton Costello cccostello@winston.com
4 Elizabeth Rosenberg erosenberg@wdklaw.com
Gina M. Tufaro gtufaro@hhplawny.com
5 Helen I. Zeldes helenz@zhlaw.com
Howard Holderness hholderness@morganlewis.com
6 Ira P. Rothken ndca@techfirm.com
James Neil Kramer jkramer@orrick.com
7 James E. Cecchi jcecchi@carellabyrne.com
James C. Sturdevant jsturdevant@sturdevantlaw.com
8 James Neil Kramer jkramer@orrick.com
James D. Baskin jbaskin@baskin.com
9 Jeff S. Westerman jwesterman@milberg.com
Jeffrey Jay Lederman jlederman@winston.com
10 Joe R. Whatley jwhatley@wdklaw.com
John Allen Lowther john@doylelowther.com
11 Jonathan Shub jshub@seegerweiss.com
Joshua Daniel Watts jwatts@orrick.com
12 Justin Myer Lichterman jlichterman@orrick.com
Kimball R. Anderson kanderson@winston.com
13 Krista M. Enns kenns@winston.com
Meredith Ann Galto mgalto@morganlewis.com
14 Michael J. Boni mboni@bonizack.com
Monique Olivier molivier@sturdevantlaw.com
15 Nicholas Koluncich nkoluncich@newmexicoclassactions.com
Paul O. Paradis pparadis@hhplawny.com
16 Paul R. Kiesel Kiesel@kbla.com
Peter G.A. Safirstein psafirstein@milberg.com
17 Robert P. Varian rvarian@orrick.com
Robert A. Particelli rparticelli@morganlewis.com
18 Robert A. Particelli rparticelli@morganlewis.com
Sabrina S. Kim skim@milberg.com
19 Seth Michael Cohen scohen@orrick.com
Stephen A. Weiss sweiss@seegerweiss.com
20 Whitney Huston whuston@sturdevantlaw.com
William James Doyle bill@doylelowther.com

21
22 **Dated: February 25, 2009**

Richard W. Wieking, Clerk

23
24 By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy