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

Franz Wakefield,

NO. C 09-05420 JW
NO. C 09-05779 HRL

Plaintiff,

v.

**ORDER GRANTING RELATION OF
CASES; DISMISSING AS DUPLICATIVE**

Apple, Inc., et al.,

Defendants.

_____ /
The Court *sua sponte* considers whether C 09-5420 and C 09-05779 are related within the meaning of Civ. L.R. 3-12.

On November 2, 2009, Plaintiff filed an action in the Central District of California.¹ Plaintiff then requested the Central Case to be transferred to the Northern District of California.² (Id.) On December 15, 2009, the Central Case was transferred from the Central District to this district. (Id.) While Plaintiff’s case was in the process of being transferred, Plaintiff filed the Northern Case. (Id.) On January 4, 2010, Judge Lloyd ordered the cases related. (Docket Item No. 7.) This Court now *sua sponte*, relates the 05779 case with its 05420 case.

¹ Wakefield v. Apple, Inc., Case No. C 09-05779 HRL (“Central Case”); (See Order Re: C 09-5779 RS and C 09-5420 HRL, Central Case, Docket Item No. 6.)

² Wakefield v. Apple, Inc., Case No. C 09-5420 JW (“Northern Case”).

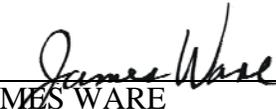
United States District Court
For the Northern District of California

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Upon review of the Complaints in each case, the Court finds them to be identical. Since the Complaints in each case are identical, the Court dismisses Wakefield v. Apple, Inc., No. C 09-5779 HRL as duplicative.

The Clerk shall close C 09-05779.

Dated: May 3, 2010



JAMES WARE
United States District Judge

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

2 Emily L. Maxwell Maxwelle@howrey.com
3 Ronald D. Arena rarena@arenahoffman.com

4 Franz A Wakefield
5 17731 North West 14th Court
6 Miami, FL 33169

7 **Dated: May 3, 2010**

Richard W. Wieking, Clerk

8 By: /s/ JW Chambers
9 **Elizabeth Garcia**
10 **Courtroom Deputy**

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