

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

	)	Case No.: 10-CV-05878-LHK
	)	
IN RE IPHONE APPLICATION LITIG.	)	ORDER GRANTING DEFENDANT
	)	APPLE'S MOTION TO ENLARGE
	)	TIME TO RESPOND TO COMPLAINT
	)	
	)	(re: dkt. #93)
	)	

Defendant Apple Inc. ("Apple") moves to enlarge time to respond to the Consolidated Complaint until June 13, 2011, apparently the response deadline for other newly named Defendants. *See* Dkt. #93. Currently, under the Court's March 15, 2011 Consolidation Order [dkt. #36], Apple's response is due by May 23, 2011. Apple submits that it would be inefficient and burdensome to submit its response to the Consolidated Complaint two days prior to the May 25, 2011 motion hearing regarding Apple's separate motion to stay proceedings pending action by the Judicial Panel on Multidistrict Litigation. Plaintiffs oppose, arguing that they filed their Consolidated Complaint on an expedited basis, and Apple agreed to file its response on the timeline currently set.

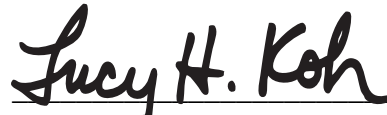
Although sympathetic to Plaintiffs' position of having filed the Consolidated Complaint on an expedited basis, the Court discerns no substantial harm or prejudice in allowing Apple to file its response by June 13, 2011, the same response date for other Defendants in this action. *See* Civ. L.R. 6-3(a). Moreover, the Court would benefit from aligning Apple's time to respond with the

1 other Defendants. For example, if, as anticipated, Defendants file motions to dismiss, Plaintiffs  
2 would then have to file oppositions on the same day, instead of filing scattered oppositions on  
3 different days. In addition, the Court could schedule a hearing on the motions on the same day and  
4 in a single hearing. In sum, allowing Apple a brief extension of time to respond will facilitate  
5 effective and efficient case management.

6 Accordingly, Apple's motion to enlarge time to respond to complaint is GRANTED. Apple  
7 must file its response to the Consolidated Complaint on or before June 13, 2011. The parties  
8 should note that this Order has no bearing on Apple's motion to stay, which will be discussed at the  
9 May 25, 2011 motion hearing and case management conference.

10 **IT IS SO ORDERED.**

11  
12 Dated: May 19, 2011



13 LUCY H. KOH  
14 United States District Judge