

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 SEEKING ADDITIONAL
)	INFORMATION RE: MOTION TO
)	RELATE CASE NUMBER 11-CV-
)	02167-PSG TO <i>IN RE IPHONE</i>
)	<i>APPLICATION LITIG.</i>
)	
)	(re: dkt. #80)

On May 11, 2011, Defendant Flurry, Inc. filed a motion to relate *King v. Google, et al.*, 11-CV-02167-PSG to *In Re iPhone Application Litigation*, 10-CV-05878. See Dkt. #80. From the Court's review, it appears that there are overlapping causes of action and certain overlapping Defendants, but there are also critical differences in the cases. For example, the *King* action centers on devices that run Google's Android operating system, devices not currently involved in the *In Re iPhone Application Litigation*. Prior to ruling upon the motion to relate, however, the Court seeks additional information from the parties. Specifically, the Court requests that, at the May 25, 2011 hearing and case management conference in connection with the *In Re iPhone Application Litigation*, counsel for the parties be prepared to discuss:

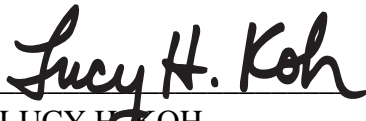
- 1) if the cases are related, whether the parties will seek to consolidate the cases;
- 2) Plaintiffs' and Apple's position on whether the cases should be related;
- 3) the overlap, if any, of the alleged class members;

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- 4) how the applications work on the different operating systems, and if the applications work differently on each operating system;
- 5) whether different licenses and disclosures are involved with respect to the different devices and operating systems;
- 6) whether Plaintiffs are aware of, or anticipate, any other cases against other devices or operating systems;
- 7) if the cases are not related, whether the parties will still seek a coordinated approach to ADR and a global resolution of all the actions.

IT IS SO ORDERED.

Dated: May 20, 2011



LUCY H. KOH
United States District Judge