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

GLOBALMEDIA GROUP LLC,

CASE NO. 5:11-CV-00778-EJD

Plaintiff,

**ORDER DENYING MOTION TO STRIKE;
DENYING AS MOOT MOTION FOR
LEAVE TO FILE**

v.

LOGITECH INC,

[Re: Docket Item Nos. 52, 54]

Defendant.

On August 15, 2011, GlobalMedia filed a Motion for Leave to File an attached proposed Second Amended Application/Petition to Compel Arbitration (“SAP”). ECF No. 36 & attachment 1. On March 30, 2012, the court granted GlobalMedia’s motion. ECF No. 47. Though the court could have simply deemed the SAP filed as of the date of that order, it instead delegated the responsibility of filing the document to the GlobalMedia. The court set a deadline of April 6, 2012 for the completion of the wholly ministerial task. April 6 came and went; the SAP was filed on April 12. GlobalMedia apologizes and blames a paralegal. ECF No. 55 & attachment 2. Logitech moves to strike the SAP as untimely, complaining of having “40% less time . . . to respond to this so-called amended petition.”

The SAP that GlobalMedia filed late is substantially identical to the proposed SAP that has been on record since August 15, 2011. Logitech has suffered no conceivable prejudice from the delay. GlobalMedia’s mistake is excused, and the late filing is accepted. Logitech’s motion to strike is DENIED, and GlobalMedia’s renewed motion for leave to file the SAP is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: May 15, 2012



EDWARD J. DAVILA
United States District Judge