

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

ROBERT HERSKOWITZ, individually and on)
behalf of all others similarly situated,)
)
Plaintiff,)
)
v.)
)
APPLE INC.,)
)
Defendant.)

Case No.: 12-CV-02131-LHK
Related Case No.: 12-CV-03124-LHK

ORDER DENYING MOTION TO
SHORTEN TIME

(re: dkt. #21)

PHOEBE JUEL, individually and on behalf of all)
others similarly situated,)
)
Plaintiff,)
)
v.)
)
APPLE INC.,)
)
Defendant.)


A hearing on Apples' motion to consolidate the two above-captioned, related cases is set for November 8, 2012. Apple moves to shorten time for the hearing, arguing that such shortening is necessary to avoid duplicative motion practice and discovery in the two cases pending consolidation. ECF No. 21. However, on August 6, 2012, the Court granted Apple's motion to enlarge Apple's time to respond to the complaints in the two actions until 20 days after a consolidated complaint is filed or 20 days after any denial of Apple's motion to consolidate. See ECF No. 22. Accordingly, Apple's sole basis for moving to shorten time on its motion to

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consolidate no longer exists. The Court does not have any availability before November 8, 2012,
and thus Apple's motion to shorten time is DENIED.

IT IS SO ORDERED.

Dated: August 29, 2012



LUCY H. KOH
United States District Judge