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

PERSONALWEB TECHNOLOGIES, LLC, CASE NO. 5:13-cv-01317 EJD

ORDER TO SHOW CAUSE

Plaintiff(s),

v.

GOOGLE INC., et. al.,

Defendant(s).

_____ /

In this patent infringement action, Defendants Google Inc. and YouTube, LLC (“Defendants”) filed an early motion for summary judgment of non-infringement on November 15, 2013. See Docket Item No. 218. Thereafter, Plaintiff PersonalWeb Technologies, LLC (“Plaintiff”) was granted leave to amend its infringement contentions in part as well as leave to amend its complaint. See Docket Item Nos. 250, 259. Pursuant to the court’s orders, Plaintiff filed a Second Amended Complaint on February 7, 2014, and should have served amended infringement contentions on or about January 24, 2014. See Docket Item No. 261.

Under these circumstances, the court believes that, for the sake of a clear record, Defendants’ Motion for Summary Judgment filed prior to an amended complaint and amended infringement contentions should be terminated without prejudice so that Defendants may file a new motion taking into account Plaintiff’s amended pleadings. That being said, however, the court seeks Defendants’ position on this matter prior to taking action.

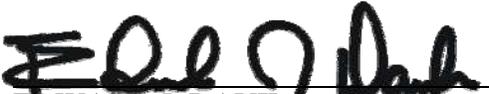
Accordingly, the court issues this order to show cause why the Motion for Summary

1 Judgment should be terminated without prejudice. On or before **12:00 p.m. on February 27, 2014**,
2 Defendants shall file a response, not exceeding 5 pages, detailing its position on this matter. No
3 hearing will be held on the order to show cause unless otherwise ordered by the court

4 **IT IS SO ORDERED.**

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6 Dated: February 26, 2014


EDWARD J. DAVILA
United States District Judge

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