EXHIBIT 34

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4   IN THE UNITED STATES DISTRICT COURT

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6   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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8   GOOGLE, INC.,   No. C 14-00498 WHA

9   Plaintiff,

10   v.

11   CONTENTGUARD HOLDINGS, INC.,   **ORDER GRANTING MOTION
                                                 TO STAY**
12   Defendant.

13   _____/

14   Three pending actions are relevant to this order: (1) *Contentguard Holdings, Inc. v.

15   Amazon.com, Inc., et al*., No. 2:13-cv-01112-JRG (E.D. Tex. Dec. 18, 2013) (Judge Rodney

16   Gilstrap) ("*Amazon* action"); (2) *Google, Inc. v. ContentGuard Holdings, Inc.*, No. 3:14-cv-

17   00498-WHA (N.D. Cal. Jan. 31, 2014) (Judge William Alsup) (this action); and

18   (3) *ContentGuard Holdings, Inc. v. Google, Inc.*, No. 2:14-cv-00061-JRG-RSP (E.D. Tex.

19   Feb. 5, 2014) (Judge Rodney Gilstrap) ("*Google* Texas action").

20   In this action, in March 2014, defendant ContentGuard Holdings, Inc. moved to stay,

21   transfer, or dismiss this action in light of the actions pending in the Eastern District of Texas.

22   Google opposed, arguing, *inter alia*, that this action was the first-filed action and the customer-

23   suit exception applied. A March 2014 order held in abeyance ContentGuard's fully-briefed

24   motion to allow our sister district to rule on the motions pending there.

25   On April 15, Judge Gilstrap denied Google's motion to stay, denied ContentGuard's

26   motion to consolidate the *Amazon* action and the *Google* Texas action, and held in abeyance

27   Motorola Mobility, LLC's motion to sever (Dkt. No. 109). Judge Gilstrap deemed the *Amazon*

28   action first-filed and found that the customer-suit exception did not apply.

United States District Court
For the Northern District of California

1   Having considered Judge Gilstrap's twelve-page order, the interests of comity and

2 judicial efficiency, and ContentGuard's motion herein, this action is **STAYED**. The case

3 management conference set for May 1 is **VACATED**. If anything changes materially, either side

4 may seek relief from the stay.

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6   **IT IS SO ORDERED.**

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8 Dated: April 15, 2014.

        WILLIAM ALSUP
9   UNITED STATES DISTRICT JUDGE

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