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12 UNITED STATES DISTRICT COURT
13 SOUTHERN DISTRICT OF CALIFORNIA

14 KEVIN VANGINDEREN,
15 Plaintiff,
16
17 v.
18 CORNELL UNIVERSITY, BERT
DEIXLER,
19 Defendants.
20

'08 CV 736

Case No.

NOTICE OF RELATED CASE

Hon.

Action Filed: April 8, 2008

FILED

08 APR 28 PM 1:19

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

FAXED
W JMA

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

2 Pursuant to Local Civil Rule 40.1(e), the undersigned counsel for defendant
3 Cornell University ("Cornell") informs the Court that they are aware of three actions
4 related to the above-captioned case:

5 1. *Kevin Vanginderen v. Cornell University, Bert Deixler*, Case No. 7-
6 2008-00069807-CU-DF-SC, filed April 8, 2008 in the Superior Court of the State of
7 California, County of San Diego, South County Division, and removed to this Court
8 on April 28, 2008 ("Removed Action");

9 2. *Kevin Vanginderen v. Cornell University*, Case No. 07-CV-2045-BTM-
10 JMA, removed to this Court on October 29, 2007; and

11 3. *Kevin Vanginderen v. Cornell University*, Case. No. 37-2007-
12 00076496-CU-DF-SC, filed October 1, 2007 in the Superior Court of the State of
13 California, County of San Diego, South County Division (collectively, "Cornell
14 Cases").

15 Assignment of the Removed Action to a single judge – specifically, Judge
16 Moskowitz – is likely to conserve judicial resources and eliminate the need for
17 extensive rebriefing of relevant facts. The Removed Action arises from evidence
18 that Cornell filed with the Court in the course of defending against the October 1,
19 2007 action, which was assigned to Judge Moskowitz after removal to this Court.
20 Most of the evidence relevant to the Removed Action therefore already is on file
21 with Judge Moskowitz, which makes assignment of the Removed Action to him
22 appropriate.

23 The legal issues in the Cornell Cases are similar and have already been
24 briefed in Cornell's Special Motion to Strike Plaintiff's Complaint Pursuant to
25 Section 425.16 of the California Code of Civil Procedure. Defendants in the
26 Removed Action will file similar Special Motions to Strike on similar grounds.

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1 For this reason, assignment of the Removed Action to Judge Moskowitz would
2 promote further judicial economy.

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5 DATED: April 28, 2008

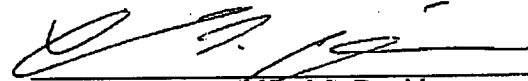
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