

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH
ASSOCIATION, INC., AMERICAN
PSYCHOLOGICAL ASSOCIATION, INC., and
NATIONAL COUNCIL ON MEASUREMENT IN
EDUCATION, INC.,

Plaintiffs/Counter-defendants,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant/Counterclaimant.

Case No. 1:14-cv-00857-TSC-DAR

**WITHDRAWAL OF
PUBLIC.RESOURCE.ORG, INC.'S
MOTION FOR CONSOLIDATION FOR
PURPOSES OF DISCOVERY [DKT. NO. 33]**

Filed: May 23, 2014

Defendant-Counterclaimant Public.Resource.Org withdraws its motion for consolidation of this case with *ASTM et al. v. Public.Resource.Org*, Case No. 1:13-cv-01215-TSC-DAR (the “ASTM Plaintiffs’ case”) for the purposes of discovery [Dkt. No. 33]. The deposition of Public Resource has begun in the ASTM Plaintiffs’ case. Plaintiffs in the two cases did not agree to participate jointly in the deposition, the ASTM Plaintiffs refused to defer the depositions until the Court’s decision on the consolidation motion, and the Court has not ruled on Defendant’s motion for a protective order to defer the depositions of Public Resource and Carl Malamud until a decision on the consolidation motion. With the deposition of Public Resource now underway in the ASTM Plaintiffs’ case alone, a major reason for consolidation of discovery has become moot. Although other factors supporting consolidation still exist (as Public Resource identified in its motion), Public Resource no longer believes that the remaining factors by themselves warrant consolidation at this time.

Dated: February 26, 2015

Respectfully submitted,

/s/ Andrew P. Bridges

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