

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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 CG TECHNOLOGY DEVELOPMENT, LLC )  
 et al., )

Plaintiffs, )

vs. )

FANDUEL, INC., )

Defendant. )  
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2:16-cv-00801-RCJ-VCF

**ORDER**

These related cases arise out of the alleged infringement of several patents relating to online gambling. Pending before the Court in each of the cases is a motion to consolidate the cases for pretrial purposes. Defendants in Case Nos. 2:16-cv-801, 2:16-cv-856, and 2:16-cv-871 have indicated in response that they do not oppose consolidation of all six cases for pretrial purposes. Defendants in Case Nos. 2:16-cv-857, 2:16-cv-858, and 2:16-cv-859, however, have indicated in response that they consent only to the consolidation of those three cases for pretrial purposes, noting that due to several previous rulings those three cases concern only U.S. Patent No. RE39,818 but that the other three cases concern several other patents.

The Court agrees with Plaintiffs that it would be more economical to consolidate all six cases for the purposes of pretrial proceedings, particularly claim construction. The latter three cases and the former three cases are not, as several Defendants argue, “very different.” Before

1 the Court's previous rulings, there was significant overlap of patents in issue in the cases, and all  
2 six of the cases still include the '818 patent. It would be uneconomical to conduct separate claim  
3 construction proceedings on the same patent.

4 **CONCLUSION**


5 IT IS HEREBY ORDERED that the Motions to Consolidate (ECF No. 76 in Case No.  
6 2:16-cv-801, ECF No. 47 in Case No. 2:16-cv-856, ECF No. 38 in Case No. 2:16-cv-857, ECF  
7 No. 62 in Case No. 2:16-cv-858, ECF No. 50 in Case No. 2:16-cv-859, ECF No. 41 in Case No.  
8 2:16-cv-871) are GRANTED.

9 IT IS FURTHER ORDERED that the cases are CONSOLIDATED for pretrial purposes,  
10 with Case No. 2:16-cv-801 as the Lead Case and the other cases as Member Cases. All filings  
11 shall be made in the Lead Case only until further notice.

12 IT IS FURTHER ORDERED that the Clerk shall enter a copy of this Order into the  
13 dockets of each of the cases.

14 IT IS SO ORDERED.

15 Dated: This 12<sup>th</sup> day of December, 2016.

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18 ROBERT C. JONES  
United States District Judge  
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