

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE ELECTRONIC BOOKS
ANTITRUST LITIGATION

CASE NO. 12-mc-186-MJP

TRANSFER ORDER

Action Pending in:
United States District Court, Southern
District of New York (11-md-02293-
DLC)

This matter comes before the Court on the motion to quash filed by nonparty Amazon.com (Dkt. No. 1) and the request by Defendant Apple to have Amazon.com’s motion transferred to Judge Denise Cote in the Southern District of New York (Dkt. No. 3). Having reviewed the motion and the request, and having heard the oral argument of the parties by teleconference on Oct. 3, 2012, the Court hereby TRANSFERS the pending motion to quash.


The MDL statute provides that the MDL judge may “exercise the powers of a district judge in any district for the purpose of conducting pretrial depositions in such coordinated or consolidated pretrial proceedings.” 28 U.S.C. § 1407(b). In the present case, the Court finds that judicial economy weighs strongly in favor of transferring the motion because Judge Cote, as the

1 MDL judge, is already familiar with the issues in this case. See In re Welding Rod Prods. Liab.
2 Litig., 406 F. Supp. 2d 1064, 1066-67 (N.D. Cal. 2005) (transfer of motion to quash appropriate
3 when MDL judge is “readily familiar with the underlying issues”). Additionally, the fact that
4 Judge Cote has expressed a willingness to address this dispute (Dkt. No. 4 at 1), and that
5 Amazon.com cannot articulate a reason why it would be prejudiced by such a transfer also weigh
6 in favor of transferring this motion to Judge Cote.

7 Therefore, the motion to quash is hereby TRANSFERRED to Judge Denise Cote in the
8 Southern District of New York.

9 The clerk is ordered to provide copies of this order to all counsel.

10 Dated this 12th day of October, 2012.

11
12
13 

14 Marsha J. Pechman
15 United States District Judge
16
17
18
19
20
21
22
23
24