

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case Nos. SA CV 19-1061-DOC-KES
SA CV 19-1062-DOC-KES
SA CV 19-1150-DOC-KES
SA CV 19-1151-DOC-KES

Date: December 2, 2019

Title: SQAURE ENIX, INC. ET AL. v. UNILOC 2017 LLC, *and related cases*

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Lewman
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

PROCEEDINGS (IN CHAMBERS): ORDER FOR BRIEFING

In light of the upcoming status conference in these cases, scheduled for December 4, 2019 at 8:30 a.m., the Court hereby ORDERS the parties to submit supplemental briefing, of no more than five pages in length, on the following questions by December 3, 2019 at 12:00 p.m.:

- (1) What is the current status of the *Square Enix* case pending in Texas, and how would it affect *any* of the four related cases before this Court?
- (2) Netsuite, in its papers, contends that adopting Judge Schroeder's claim construction would be dispositive of the case against it. Is this also true of the infringement claims in the other cases (*viz.*, the claims in *Infor* and the counterclaims in *Square Enix* and *Ubisoft*)?

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- (3) In its Supplemental Rule 26(f) Report, Uniloc 2017 refers to “an interlocutory claim construction order” that is currently the subject of a motion to reconsider. Is this claim construction the same one that Netsuite contends would be dispositive of its case?
- (4) The Court is presently considering three options for consolidating these cases:
- (i) consolidating all four cases together;
 - (ii) consolidating *Square Enix* with *Ubisoft* (the declaratory judgment cases), and *Infor* with *Netsuite*; and
 - (iii) consolidating *Ubisoft*, *Infor*, and *Netsuite*, but leaving *Square Enix* separate.

Which of these options—in light of the pending *Square Enix* action in Texas and this Court’s interest in efficient case management—would provide for the most equitable and efficient resolution of these cases?

The Clerk shall serve this minute order on the parties.

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk: djl