

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

REALTIME ADAPTIVE	:	
STREAMING LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 17-1692-CFC-SRF
	:	
NETFLIX, INC., and NETFLIX	:	
STREAMING SERVICES, INC.,	:	
	:	
Defendant.	:	

ORDER

At Wilmington this Ninth day of November in 2018:

WHEREAS, Defendants moved to transfer this action to the Northern District of California (D.I. 20);

WHEREAS, under 28 U.S.C. § 636(b), Magistrate Judge Fallon issued a Report and Recommendation (D.I. 44) on Defendants’ Motion to Transfer;

WHEREAS, the Report and Recommendation recommends that the Court **DENY** Defendants’ Motion to Transfer;

WHEREAS, the parties did not file any objections to the Report and Recommendation within fourteen days after being served with a copy;

WHEREAS, the Court concludes that the Report and Recommendation should be adopted;¹

IT IS HEREBY ORDERED that the Report and Recommendation (D.I. 44) is **ADOPTED**, and Defendants' Motion to Transfer (D.I. 20) is **DENIED**.



CONNOLLY, United States District Judge

¹ The Court notes, however, that Realtime's forum choice should have been given "paramount consideration" and not any "less deference because Realtime does not maintain a place of business in Delaware." *See Realtime Data LLC v. Egnyte, Inc.*, 2018 WL 5724040 (D. Del. Nov. 1, 2018); *VLSI Tech. LLC v. Intel Corp.*, 2018 WL 5342650 (D. Del. Oct. 29, 2018).