

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No. 21-cv-00485-JCS

JOHN DOE, et al.,  
Plaintiffs,  
v.  
TWITTER, INC.,  
Defendant.

**ORDER RE: 1) MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, MOTION FOR AN ORDER PERMITTING INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292(B); 2) MOTION FOR STAY; AND 3) ADMINISTRATIVE MOTION TO ENLARGE TIME TO RESPOND TO DISCOVERY REQUESTS**

Re: Dkt. Nos. 80, 81, 82

Twitter has requested leave to file a motion for reconsideration of the Court’s August 19, 2021 order denying in part Twitter’s motion to dismiss (Dkt. 69) (“Order”) or, in the alternative, an order certifying the Order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b). The Court GRANTS the request for certification of an interlocutory appeal. A district court may certify an order for interlocutory appeal under § 1292(b) if it: (1) involves “a controlling question of law”; (2) on which there is “substantial ground[s] for difference of opinion”; and (3) “an immediate appeal from the order may materially advance the ultimate termination of the litigation . . . .” 28 U.S.C. § 1292(b); see *In re Cement Antitrust Litig.*, 673 F.2d 1020, 1026 (9th Cir. 1981). The Court finds that all three requirements are met here. Therefore, the Court certifies the Order for interlocutory appeal. The Court GRANTS Twitter’s Motion for Stay and therefore STAYS ALL PROCEEDINGS in this case pending resolution of any appeal that may be taken up by the Ninth

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Circuit. The Court DENIES the Administrative Motion to Enlarge Time on the basis that it is moot. The motion hearing set for **November 19, 2021** is VACATED.

The parties shall notify the Court within fourteen days of the final resolution of Twitter's appeal.

**IT IS SO ORDERED.**

Dated: October 26, 2021

  
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JOSEPH C. SPERO  
Chief Magistrate Judge

United States District Court  
Northern District of California