

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

J. L., et al.,
Plaintiffs,
v.
ALPHABET INC., et al.,
Defendants.

Case No. [23-cv-03440-AMO](#)

**ORDER GRANTING MOTION TO
DISMISS WITH LEAVE TO AMEND
AND DENYING ADMINISTRATIVE
MOTION TO RELATE WITHOUT
PREJUDICE**

Re: Dkt. Nos. 33, 42

Before the Court are Google’s motion to dismiss Plaintiffs’ amended complaint, ECF 33, and its administrative motion to relate the later-filed case of *Zhang v. Google LLC, et al.*, No. 24-cv-2531-EJD (N.D. Cal. filed Apr. 26, 2024) to this action, ECF 42.

In light of the concerns expressed by Judge Chhabria in his order dismissing the complaint in the matter of *Cousart v. OpenAI LP*, No. 23-cv-4557-VC,¹ and given the overlap in the plaintiffs named, the involved plaintiffs’ counsel, and the claims asserted in this case and *Cousart*, Google’s motion to dismiss Plaintiffs’ amended complaint is **GRANTED**. Plaintiffs shall file a second amended complaint within 21 days of this order.

Because a second amended complaint will be forthcoming, the administrative motion to relate is **DENIED WITHOUT PREJUDICE**. Google may file a renewed administrative motion to relate once Plaintiffs file their second amended complaint, which should be considerably more streamlined and crystallize the theory of this case so that the Court can make an appropriate

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¹ Google filed the decision in this action pursuant to Civil Local Rule 7-3(d). ECF 41.

1 determination as to the case's relatedness to the *Zhang* action.

2 **IT IS SO ORDERED.**

3 Dated: June 6, 2024

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6 **ARACELI MARTÍNEZ-OLGUÍN**
United States District Judge

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