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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

OTO ANALYTICS, LLC f/k/a OTO
ANALYTICS, INC. d/b/a WOMPLY,

Petitioner,

v.

BENWORTH CAPITAL PARTNERS, LLC,

Respondent.

Case No. 3:24-cv-03975-AMO

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD
BE RELATED PURSUANT TO CIVIL
LOCAL RULES 3-12 AND 7-11**

TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12 and 7-11 of the Northern District of California, Respondent, Benworth Capital Partners, files this administrative motion to consider whether *Benworth Capital Partners, LLC v. Oto Analytics, LLC*, No. 3:24-cv-04840 (N.D. Cal.) (the “Vacatur Action”), filed on August 7, 2024 by the undersigned counsel, should be related to the first-filed action, *Oto Analytics, LLC v. Benworth Capital Partners, LLC*, No. 3:24-cv-3975 (N.D. Cal.) (the “Confirmation Action”), filed on July 1, 2024 by counsel for Oto Analytics.

Civil Local Rule 3-12 provides that “[a]n action is related to another when: (1) The actions concern substantially the same parties, property, transaction or event; and (2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Both cases involve the award issued following the JAMS arbitration styled *Oto Analytics, Inc. v. Benworth Capital Partners LLC*, JAMS Ref. No. 1210038203 (the “Arbitration Award”). As implied by the defined terms, the Vacatur Action seeks to vacate the Arbitration Award while the Confirmation Action seeks to confirm the Arbitration Award. Thus, each action will require adjudication of the same or substantially similar questions of law and fact.

Under these circumstances, separate assignment of these actions would likely create a duplication of labor and expenses and potentially lead to conflicting results. Relating these actions, on the other hand, would conserve judicial resources and ensure consistent results. The parties and the Court will benefit from these efficiencies should the Court find these actions to be related.

Dated: August 12, 2024

Respectfully submitted,

/s/ Simon S. Grille

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

Dated: August 12, 2024

/s/ Simon S. Grille

Simon S. Grille