

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EPIC GAMES, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No.: 4:20-CV-05640-YGR

ORDER GRANTING MOTIONS FOR LEAVE TO
FILE *AMICUS CURIAE* BRIEFS

Re: Dkt. Nos. 904, 906 & 908

Pending before the Court are three motions for leave to file *amicus curiae* briefs in support of plaintiff Epic Games, Inc.’s motion to enforce the injunction.¹ Defendant Apple, Inc. opposes the motions on the grounds that the proposed *amicus* briefs would be “neither necessary nor helpful” to the Court. (Dkt. No. 912 at 1:23.) Instead, Apple argues the proposed briefs are irrelevant to and/or duplicative of Epic’s motion.

Given the Court’s “broad discretion” to permit the filing of *amicus* briefs, *Hoptowitz v. Ray*, 682 F.2d 1237, 1260 (9th Cir. 1982), *abrogated on other grounds by Sandin v. Conner*, 515 U.S. 472 (1995), as well as proposed *amici curiae*’s perspectives on Epic’s motion to enforce the injunction, the motions for leave are **GRANTED**.² As set forth in the Court’s prior order, Apple’s consolidated response to Epic’s motion, as well as the proposed *amicus* briefs, shall be due on **April 12, 2024** and not exceed **35 pages**. (*See* Dkt. No. 911.)

This terminates Dkt. Nos. 904, 906 & 908.

IT IS SO ORDERED.

Date: April 4, 2024


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

¹ The motions are brought on behalf of a range of non-parties, including, in no particular order: Match Group, LLC; Meta Platforms, Inc.; Microsoft Corp.; X Corp.; Spotify USA, Inc.; and Digital Content Next. *See generally* Dkt. Nos. 904, 906 & 908.

² Since the Court determines the motions for leave are suitable for adjudication based on the record before it, Epic is **RELIEVED** of its obligation, under the Court’s prior order, to file a reply brief in support of the motions.