

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

In re)
)
)
Cases Filed by DIRECTV, INC.,)
)
)
_____)

O R D E R

GENERAL ORDER NO. 1

This Order Pertains to
the Following Related Cases:

CV 03-00967-PHX (HRH); CV 03-00968-PHX (HRH); CV 03-00970-PHX (HRH);
CV 03-00971-PHX (HRH); CV 03-00973-PHX (HRH); CV 03-00975-PHX (HRH);
CV 03-00976-PHX (HRH); CV 03-00977-PHX (HRH); CV 03-00978-PHX (HRH);
CV 03-00981-PHX (HRH); CV 03-00982-PHX (HRH); CV 03-00989-PHX (HRH);
CV 03-00993-PHX (HRH); CV 03-00995-PHX (HRH); CV 03-00999-PHX (HRH);
CV 03-01000-PHX (HRH); CV 03-01002-PHX (HRH); CV 03-01774-PHX (HRH);
CV 03-01776-PHX (HRH); CV 03-02147-PHX (HRH); CV 03-02148-PHX (HRH);
CV 03-02181-PHX (HRH); CV 03-02182-PHX (HRH); CV 03-02180-PCT (HRH)

Conversion Claims Dismissed

By order of November 17, 2003,¹ Judge Frederick Martone ruled that, under Arizona law, DirectTV does not have a cause of action for conversion. Citing Arizona case law, and in particular Universal Marketing and Entertainment, Inc. v. Bank One of Arizona, 203 Ariz. 266 (2002), Judge Martone concluded that, "Arizona would

¹ See Order (Nov. 17, 2003), filed as Clerk's Docket No. 51 in DirectTV v. Humrich, No. CV 03-0986-PHX.

not recognize a conversion action for intangible property,"² and dismissed DirectTV's conversion claims.

In Case Management Order No. 6 (CMO-6), filed in these jointly managed cases (JMC) on June 29, 2004, this court called attention to Judge Martone's ruling that DirectTV does not have a cause of action for conversion under Arizona law, and ordered the parties to show cause why the court should not adopt Judge Martone's holding in all of the 2003 JMC. CMO-6 specifically states,

Unless, on or before July 30, 2004, a party to the 2003 JMC shall show cause why the court should do otherwise, there will be entered in all of the 2003 JMC an order adopting the foregoing holding[] for purposes of all of the 2003 JMC.^[3]

The time has run for the parties to show cause why the court should not adopt Judge Martone's holding for purposes of all of the 2003 JMC. No party has filed a response to the court's order to show cause. Indeed, plaintiff has omitted a conversion claim in its 2004 JMC.

The above listed 2003 JMC all include a conversion claim. In consideration of the foregoing, the conversion claims in all of the above-numbered cases are dismissed for the reasons and on the authorities recited by Judge Martone in DirectTV v. Humrich, No. CV 03-0986-PHX.⁴

² Id. at 4.

³ CMO-6 at 7.

⁴ Order (Nov. 17, 2003), filed as Clerk's Docket No. 51 in DirectTV v. Humrich, No. CV 03-0986-PHX.

A copy of this order shall be filed in each of the above-numbered cases and served upon the parties to the same.

DATED at Anchorage, Alaska, this 1 day of October, 2004.



H. Russel Holland
United States District Judge