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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

DAVIS MORENO CONSTRUCTION,
INC.,

Plaintiff,

vs.

FRONTIER STEEL BUILDINGS
CORPORATION,

Defendant.

No. CV-F-08-854 OWW/SMS

ORDER DIRECTING DEFENDANT TO
FILE NOTICE OF MOTION

Defendant has filed a motion for certification of
interlocutory appeal pursuant to 28 U.S.C. § 1292(b). Defendant
is ordered to file and serve a notice of motion, setting the
motion on the Court's next available civil motion calendar in
accordance with the time requirements set forth in Rule, 78-
230(b), Local Rules of Practice.

IT IS SO ORDERED.

Dated: November 25, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE