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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

<p>WEBQUEST.COM, INC., a California Corporation,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>HAYWARD INDUSTRIES, INC., a New Jersey Corporation,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 1:10-cv-00306-OWW-GSA</p> <p>[Assigned to Hon. Oliver W. Wanger]</p> <p><u>ORDER DENYING HAYWARD INDUSTRIES, INC.'S MOTION FOR PARTIAL JUDGMENT ON THE PLEADINGS; DENYING WEBQUEST.COM, INC.'S MOTION TO DISMISS DEFENDANT'S COUNTERCLAIMS; GRANTING WEBQUEST.COM, INC.'S MOTION TO STRIKE ALL EXHIBITS FROM DEFENDANT'S COUNTERCLAIMS, EXCEPT FOR EXHIBIT A; AND DENYING WEBQUEST.COM, INC.'S MOTION FOR SANCTIONS</u></p>
AND RELATED CROSS-ACTION	

The motion of Defendant Hayward Industries, Inc. ("Hayward Industries") for an order granting Partial Judgment on the Pleadings Pursuant to Fed. R. Civ. P. 12(c) against Plaintiff WebQuest.com, Inc. ("WebQuest") and its counsel having come before the Court, and the motions of Plaintiff WebQuest.com, Inc. for orders dismissing Hayward Industries' Counterclaims for failure to comply with Fed. R. Civ. P. 8, striking Hayward Industries' Exhibits, except for Exhibit A, pursuant to Fed. R. Civ. P. 12(f), and granting Sanctions against Hayward Industries pursuant to Fed. R. Civ. P. 11, and the Court having considered the papers filed in support of and against thereto, as well as the oral argument that took place on November 1, 2010, and for good cause appearing, the Court hereby orders as follows:

FORMAL ORDER CONSISTENT WITH MEMORANDUM DECISION RE: DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS; PLAINTIFF'S MOTION TO DISMISS DEFENDANT'S COUNTERCLAIMS; PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S EXHIBITS, EXCEPT FOR EXHIBIT A; AND PLAINTIFF'S MOTION FOR SANCTIONS

- 1 (1) Hayward Industries' Motion for Partial Judgment on the Pleadings Pursuant to Fed. R.
2 Civ. P. 12(c) is hereby DENIED;
- 3 (2) WebQuest's Motion to dismiss Defendant's Counterclaims for failure to comply with
4 Fed. R. Civ. P. 8 is hereby DENIED;
- 5 (3) WebQuest's Motion to strike Defendant's Exhibits, except for Exhibit A, pursuant to
6 Fed. R. Civ. P. 12(f) is hereby GRANTED;
- 7 (4) WebQuest's Motion for Sanctions pursuant to Fed. R. Civ. P. 11 is hereby DENIED
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10 **IT IS SO ORDERED.**

11 Dated: 11/19/2010

12 /s/ OLIVER W. WANGER
13 HON. OLIVER W. WANGER
14 United States District Judge

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28 FORMAL ORDER CONSISTENT WITH MEMORANDUM DECISION RE: DEFENDANT'S MOTION FOR
JUDGMENT ON THE PLEADINGS; PLAINTIFF'S MOTION TO DISMISS DEFENDANT'S
COUNTERCLAIMS; PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S EXHIBITS, EXCEPT FOR
EXHIBIT A; AND PLAINTIFF'S MOTION FOR SANCTIONS

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