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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

TRENDSETTAH USA, INC., and TREND  
SETTAH, INC.,

Plaintiffs,

v.

SWISHER INTERNATIONAL, INC.,

Defendant.

Case No. 1:16-mc-00006-SKO

**ORDER DENYING AS MOOT  
DEFENDANT'S APPLICATION FOR AN  
ORDER TO SHOW**

(Doc. 9)

On January 21, 2016, Defendant Swisher International (“Swisher”) filed an “Application for an Order Directing Nonparties to Appear and Show Cause Why They Should Not be Held in Civil Contempt for Failing to Appear for Deposition and/or Failing to Produce Documents” (Application for OSC) and set a hearing for February 24, 2016. (Doc. 1.) Due to the status of the underlying litigation in the U.S. District Court for the Central District of California, Case No. 8:14-cv-1664-JVS (DFMx), Defendant’s application for an order to show cause re compliance with Rule 45 subpoenas was held in abeyance. (Doc. 9.)

The underlying litigation has proceeded to trial, and any enforcement proceeding related to the third-party subpoenas issued in that case is, therefore, moot. As such, Defendant's application is denied as moot, and this case shall be closed.

IT IS SO ORDERED.

Dated: April 17, 2016

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE

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