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11 MRW, INC., a California  
12 corporation; and 500 LUTHER  
ROAD LLC, a California  
limited liability company,

NO. CIV. S-08-1732 LKK/DAD

14 Plaintiff,

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## O R D E R

16 BIG-O TIRES, LLC, a Nevada  
17 limited liability company;  
18 CIT SMALL BUSINESS LENDING  
CORPORATION, a Delaware  
corporation; and DOES 1  
through 50, inclusive,

## Defendants

21 Pending before the court is defendants' motion for  
22 certification of this court's November 26, 2008 order for  
23 interlocutory appeal and for stay of proceedings. The court does  
24 not find oral argument necessary in this matter. Accordingly, the

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26 || //

1 hearing currently set for January 30, 2009 is VACATED.

2 IT IS SO ORDERED.

3 DATED: January 27, 2009.

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LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT