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6 NO SLIPPY HAIR CLIPPY, INC.

7 UNITED STATES DISTRICT COURT

8 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

9 NO SLIPPY HAIR CLIPPY, INC.,

Case No. 2:10-CV-01478-JAM-JFM

10 Plaintiff,

Judge: John A. Mendez

11 vs.

12 ALMAR SALES CO., INC.,

**ORDER REGARDING DEFENDANT'S
MOTION TO DISMISS FOR IMPROPER
VENUE, OR TRANSFER**

13 AND DOES 1-100, INCLUSIVE;

14 Defendants.

DATE: November 17, 2010
Time: 9:30 a.m.
Courtroom: Courtroom 6, 14th Floor
Judge: The Hon. John A. Mendez

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18 The Court has reviewed Defendant's MOTION TO DISMISS OR TRANSFER VENUE,
19 and considered all admitted documents and arguments, declarations and exhibits submitted by
20 the parties. Appearing at the motion hearing on November 17, 2010, was Ann Draper, as
21 counsel for the Defendant, and Nick Heimlich as counsel for the Plaintiff.

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IT IS HEREBY ORDERED:

1. Defendant’s amended motion to dismiss for improper venue under 28 U.S.C. § 1391(b), Fed. Rules of Civ. Proc. Rule 12(b)(3) and 28 U.S.C. § 1406 (a) is denied without prejudice.
2. Defendant’s amended motion to transfer under 28 U.S.C. § 1404(a) is denied without prejudice.

Dated: November 29, 2010

/s/ John A. Mendez

Honorable Judge John A. Mendez
U.S. District Court, Eastern District of California