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

NURSING HOME PENSION FUND, et al.,

No. C 01-00988 SI

Plaintiffs,

ORDER RE: PARTIES' RECENT FILINGS

v.

ORACLE CORPORATION, et al.,

Defendants.

On February 13, 2009, the Court heard oral argument on the parties' cross-motions for summary judgment. On February 22, plaintiffs moved to submit a recently decided Ninth Circuit case. Defendants opposed the motion. Plaintiffs moved for leave to file a reply to defendants' opposition. [Docket No. 1607] Defendants opposed that motion as well.

Plaintiffs' February 22 motion [Docket No. 1602] is GRANTED insofar as it provides notice of the Ninth Circuit's decision in *Huberman v. Tag-It Pacific Inc.*, No. 07-55648 (9th Cir. Jan. 16, 2009). Plaintiff's motion for leave to file a reply [Docket No. 1607] is DENIED. The Court will not consider any argument submitted by the parties in any of these motions. Going forward, neither party may submit argument in conjunction with notices of recent authority.

IT IS SO ORDERED.

Dated: March 6, 2009



SUSAN ILLSTON
United States District Judge