

United States District Court

For the Northern District of California

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

KOON CHUN HING KEE SOY & SAUCE
FACTORY, LTD.,

Plaintiff,

v.

AMERICA FOOD INT'L CORP., et al.,

Defendants

No. C 05-5127 MMC

**ORDER DENYING PLAINTIFF'S EX
PARTE MOTION FOR ORDER
AUTHORIZING UNITED STATES
MARSHAL TO SERVE PROCESS;
VACATING ORDER DIRECTING CLERK
TO FILE DOCUMENTS UNDER SEAL**

Before the Court is plaintiff's ex parte motion for an order authorizing the United States Marshal to serve process pursuant to Rule 4(c)(2) of the Federal Rules of Civil Procedure. The matter came before the Court on December 28, 2005. Marc M. Gorelnik of Townsend and Townsend and Crew LLP appeared on behalf of plaintiff. Also before the court is plaintiff's request, made orally at the hearing conducted December 28, 2005, to vacate the Court's order directing the Clerk to file all documents in this matter under seal.

Having considered all papers filed by plaintiff, the arguments of counsel, and for the reasons stated on the record at the hearing, the Court hereby rules as follows:

1. Plaintiff's motion for an order authorizing the United States Marshal to serve process is hereby DENIED; and

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1 2. The Court's order, filed December 12, 2005, directing the Clerk to file all
2 documents in this matter under seal is hereby VACATED, and the Clerk is directed to place
3 in the public record all documents previously filed under seal.

4 **IT IS SO ORDERED.**

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6 Dated: December 29, 2005


MAXINE M. CHESNEY
United States District Judge

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