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28United States District Court
For the Northern District of California

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

HUB INTERNATIONAL OF CALIFORNIA
INSURANCE SERVICES, et al.,

No. C-06-5227 MMC

Plaintiffs,

**AMENDED* ORDER GRANTING IN
PART AND DENYING IN PART
DEFENDANT MICHAEL KILZER'S
MOTION TO DISSOLVE PRELIMINARY
INJUNCTION**

v.

MICHAEL KILZER, et al.,

Defendants.

Before the Court is defendant Michael Kilzer's ("Kilzer") Motion to Dissolve Preliminary Injunction, filed September 12, 2008, and noticed for hearing on October 17, 2008. No opposition has been filed. See Civ. L.R. 7-3(a) (providing opposition must be filed no later than 21 days prior to date of hearing). Having read and considered the moving papers, the Court deems the matter appropriate for decision thereon, hereby VACATES the hearing scheduled for October 17, 2008, and rules as follows.

Good cause appearing, the motion is GRANTED to the extent Kilzer seeks dissolution of the orders set forth in paragraphs B(1) and B(2) of said injunction.

To the extent Kilzer seeks dissolution of the order set forth in paragraph B(3) of the


*The reasons for the amendment are set forth in the Court's Order Granting in Part and Denying in Part Defendant Michael Kilzer's Request for Clarification, filed concurrently herewith.

1 injunction, the motion is GRANTED with respect to any commissions received or receivable
2 from any Contractor Prospect or Food Prospect pursuant to any contract entered into after
3 October 14, 2008. No showing having been made as to commissions received or
4 receivable from any Contractor Prospect or Food Prospect pursuant to any contract
5 entered into on or before October 14, 2008, however, the motion is DENIED with respect to
6 such commissions. Such denial is without prejudice to Kilzer's filing a separate motion, in
7 which the grounds for dissolution of the remainder of the injunction, and the effect of such
8 dissolution order on Kilzer's bankruptcy proceedings, are provided.

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IT IS SO ORDERED.

Dated: October 31, 2008


MAXINE M. CHESNEY
United States District Judge