

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSAL EQUIPMENT LEASING
COMPANY, LLC,

No. C 06-07584 JSW

Plaintiff,

v.

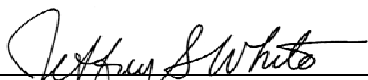
FIFTH THIRD LEASING CO.,

**ORDER RE MOTION FOR
VOLUNTARY DISMISSAL**Defendant.

Plaintiff Universal Equipment Leasing Company, LLC (“UEL”) filed a motion to voluntarily dismiss its claims against Fifth Third Leasing Company (“FTLC”) and noticed it to be heard on March 20, 2009. UEL does not address how the dismissal of its action against FTLC would affect FTLC’s third-party complaint against Cincom Systems, Inc. (“Cincom”), which is currently stayed. To date, no party has yet filed any opposition to the motion to dismiss. The Court HEREBY ORDERS that any opposition shall be filed by no later than February 27, 2009. Moreover, by no later than February 27, 2009, FTLC shall advise the Court regarding how a dismissal of UEL’s claims against it will affect its third-party complaint against Cincom, including whether FTLC intends to dismiss its third-party complaint.

IT IS SO ORDERED.

Dated: February 17, 2009


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE