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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 AIRCRAFT TECHNICAL PUBLISHERS,

7 Plaintiff,

8 vs.

9 AVANTEXT, INC.

10 Defendant.

Case No: C 07-4154 SBA

**ORDER DENYING DEFENDANT'S
ADMINISTRATIVE MOTION TO
ADVANCE THE HEARING DATE ON
MOTION FOR SUMMARY
JUDGMENT**

Docket 103

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12 Defendant has filed an administrative motion requesting that the Court advance the hearing
13 date on its motion for summary judgment from June 9, 2009 to May 19, 2009 so that such motion
14 can be heard at the same time as Plaintiffs' motion for leave to amend (Docket 95) and motion for
15 an extension of time to submit infringement contentions (Docket 96). Defendant posits that
16 advancing the hearing date will promote judicial efficiency and may obviate the need for the claims
17 construction hearing presently scheduled for June 3, 2009. Plaintiff has not filed any response to
18 the motion.

19 The Court agrees that all of the aforementioned motions should be heard on the same date.
20 However, the Court's May 19, 2009 calendar cannot accommodate all of these motions. In
21 addition, the claims construction hearing cannot proceed on June 3, 2009 due to a conflict with a
22 trial scheduled during that time period. Accordingly,


23 IT IS HEREBY ORDERED THAT:

- 24 1. Defendant's Administrative Motion (Docket 103) is DENIED.
25 2. The hearing on Defendant's summary judgment motion and Plaintiff's motions to
26 amend and for an extension of time to submit infringement contentions will take place on June 23,
27 2009 at 1:00 p.m. The Court will conduct a Case Management Conference to follow the hearing
28 on the motions. The parties shall meet and confer prior to the conference and shall prepare a joint

1 Case Management Conference Statement which shall be filed no later than ten (10) days prior to
2 the Case Management Conference that complies with the Standing Order for All Judges of the
3 Northern District of California and the Standing Order of this Court. Plaintiff shall be responsible
4 for filing the statement.

5 3. The claims construction hearing scheduled for June 3, 2009 is VACATED.

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7 Dated: April 27, 2009


Hon. Sandra Brown Armstrong
United States District Judge

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