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

JOHN GIDDING and PIVOTAL, INC.,

Plaintiffs,

No. C 07-04755 JSW

v.

DEREK ANDERSON, et al.,

Defendants.

**ORDER SETTING BRIEFING
SCHEDULE ON DEFENDANTS'
MOTION TO DISMISS THE THIRD
AMENDED COMPLAINT**

_____ /
This matter is currently set for a hearing on January 16, 2009 on Defendants' motion to dismiss Plaintiffs' third amended complaint. The Court HEREBY ORDERS that an opposition to that motion shall be filed by no later than November 7, 2008 and a reply brief shall be filed by no later than November 21, 2008. If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

IT IS SO ORDERED.

Dated: October 29, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE