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United States District Court  
For the Northern District of California

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

E&E CO., LTD.,

No. C-08-0871 MMC

Plaintiff,

**ORDER VACATING FEBRUARY 27, 2009  
HEARING**

v.

KAM HING ENTERPRISES, INC., et al.,

Defendants.

Before the Court is the motion, filed January 23, 2009 by defendants Kam Hing Enterprises, Inc., Sunham Home Fashions, LLC, Howard Yung, and Arthur Courbanou, to dismiss plaintiff's Third Amended Complaint pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(2), and 12(b)(6). Plaintiff has filed opposition, to which defendants have replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court finds the matter appropriate for decision thereon and hereby VACATES the hearing scheduled for February 27, 2009.

**IT IS SO ORDERED.**

Dated: February 25, 2009

  
MAXINE M. CHESNEY  
United States District Judge