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 9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11 ADVANTAGE BATTERY CORP., INC.,  
 12 Plaintiff,

13 vs.

14 STEELSCAPE, INC.,  
 15 Defendant.

17 STEELSCAPE, INC.,  
 18 Defendant and Third-Party Plaintiff,

19 vs.

20 IMSA ACERO, S.A. de C.V.,  
 21 Third-Party Defendant.  
 22

No. C-08-01827 MMC  
 Hon. Maxine M. Chesney, Ctrm. 7

**ORDER GRANTING  
 THIRD-PARTY DEFENDANT IMSA  
 ACERO, S.A. DE C.V.'S REQUEST TO  
 PARTICIPATE IN OCTOBER 30, 2009  
 CASE MANAGEMENT CONFERENCE  
 VIA TELECONFERENCE**

Complaint Filed: April 4, 2008  
 Trial Date: September 14, 2009

23  
 24 Pursuant to Local Rule 16-10(a), Third-Party Defendant IMSA Acero S.A. de C.V.  
 25 (“IMSA Acero”) hereby files this request to participate in this Court’s October 30, 2009, case  
 26 management conference hearing via teleconference. As the Court is aware, the parties have been  
 27 negotiating over the past several months in an effort to resolve this matter without the need for  
 28 additional litigation. To that end, the parties are close to reaching a settlement agreement and

1 hope to finalize the agreement in the coming weeks. In light of the parties' settlement discussions  
2 and in order to reduce litigation expenses, IMSA Acero respectfully requests approval to  
3 participate in the Court's case management conference via teleconference.  
4

5 DATED: October 29, 2009

BAKER BOTTS L.L.P.

6  
7 /s/ Kevin E. Cadwell  
8 Kevin E. Cadwell (#255794)

9 ATTORNEYS FOR THIRD-PARTY  
10 DEFENDANT IMSA ACERO S.A. de C.V.

11 **CERTIFICATE OF SERVICE**

12 I certify that on October 29, 2009, all counsel of record were served with a copy of this  
13 document either: (1) by the Court's Electronic Filing System, pursuant to Local Rule 5-4 and 5-  
14 6(a), if they have consented to electronic service, or (2) by electronic mail, pursuant to FRCP  
15 5(b)(2)(D), if they have not so consented.

16  
17 /s/ Kevin E. Cadwell



Dated: November 2, 2009