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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

IN RE: BANK OF AMERICA CORP.  
AUCTION RATE SECURITIES (ARS)  
MARKETING LITIGATION,

MDL No. 09-02014 JSW

**ORDER RE OCTOBER 2, 2009  
HEARING AND CASE  
MANAGEMENT CONFERENCE**

This document relates to: ALL CASES

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Having received and considered the parties' Joint Case Management Conference Statement, it is HEREBY ORDERED:

1. The Case Management Conference scheduled for Friday, October 2, 2009 at 9:00 a.m. is CONTINUED to Friday, January 15, 2010 at 1:30 p.m. A further Joint Case Management statement shall be due by no later than Friday, January 8, 2010.
2. Defendants' Motion to Dismiss *Twin Lane's* Complaint is DENIED AS MOOT, in light of the settlement. If the parties in the *Twin Lane* action have not filed a stipulation of dismissal by October 9, 2009, they shall file a status report setting forth the status of the settlement and when they expect a dismissal to be filed.
3. The pending motion to dismiss in the *Independence Tube* litigation remains on calendar on October 2, 2009 at 9:00 a.m.

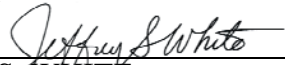
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4. The parties in the *Bondar* litigation have noticed the hearing on the motion to dismiss for November 20, 2009. However, the Court is unavailable on that date. Accordingly, the parties shall renote that motion for an open date on this Court's calendar after November 27, 2009.

**IT IS SO ORDERED.**

Dated: September 29, 2009

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE