

1 LAW OFFICES OF RONALD JASON PALMIERI, P.C.
 2 Ronald Jason Palmieri (CA Bar No. 96953)
 3 1644 North Orange Grove Avenue
 4 Los Angeles, CA 90046
 TELEPHONE: (323) 882-8225
 FACSIMILE: (323) 882-8208
lawofcsrjp@aol.com

5 WILDMAN, HARROLD, ALLEN & DIXON LLP
 6 Carole E. Handler (CA Bar No. 129381)
 7 9665 Wilshire Boulevard, Suite 200
 Beverly Hills, CA 90212
 TELEPHONE: (310) 860-8705
 FACSIMILE: (310) 860-3805
handler@wildman.com

9 WILDMAN, HARROLD, ALLEN & DIXON LLP
 10 Peter N. Moore (admitted *pro hac vice*)
 11 225 West Wacker Drive, Suite 2800
 Chicago, IL 60606-1229
 TELEPHONE: (312) 201-2000
 FACSIMILE: (312) 201-2555
pmoore@wildman.com

13 Attorneys for Defendant
 14 REUNION.COM, INC.

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**

17 VIOLETTA HOANG, LIVIA HSIAO,
 18 and MICHAEL BLACKSBURG,
 19 individually and on behalf of all others
 similarly situated,

20 Plaintiffs,

21 vs.

22 REUNION.COM, INC., a California
 corporation,

23 Defendant.

No. 3:08-cv-3518

**DEFENDANT'S UNOPPOSED EX
 PARTE APPLICATION TO VACATE
 ORDER REQUIRING FILING OF
 CASE MANAGEMENT STATEMENT
 AND VACATING DATE FOR CASE
 MANAGEMENT CONFERENCE AND
 ORDER THERON**

CMS Filing Date: October 16, 2009
CMC Hearing Date: October 23, 2009
Time: 9:00 a.m.
Judge: Hon. Maxine M. Chesney
Courtroom: 7, 19th Floor

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 27 Defendant, Reunion.com, Inc., by and through their counsel of record,
 28 hereby makes Ex Parte Application for an Order by this Court vacating its previous

1 Order for the parties to file a Case Management Statement by this Friday, October
2 16, 2009 and for a further Order vacating the Case Management Conference
3 currently scheduled for October 23, 2009.

4 Counsel for the parties have met and conferred and the undersigned
5 represents that Plaintiffs' counsel do not oppose the instant Ex Parte Application,
6 nor the relief sought herein.

7 The basis for the Ex Parte Application is that the Court currently has before
8 it two fully briefed motions: (1) Defendant's Motion to Strike and for Involuntary
9 Dismissal Pursuant to Rule 41(b), and (2) Defendant's Motion for Sanctions
10 Pursuant to 28 U.S.C. § 1927, which were scheduled for hearing on September 25,
11 2009 at 9:00 AM. The Court took those Motions under submission without oral
12 argument and the parties are awaiting this Court's decisions on both of said
13 Motions.

14 Since these Motions are potentially dispositive to Plaintiffs' case and future
15 actions of the parties, neither the Case Management Statement, nor the Case
16 Management Hearing would, in all counsels' opinion, serve any useful purpose at
17 this time. Based thereon, it is respectfully submitted that the relief requested
18 herein be granted.

19 **DATED:** October 13, 2009.

20 Respectfully submitted,

21 REUNION.COM, INC.

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24 By: /s/ Ronald J. Palmieri
25 One of Its Attorneys

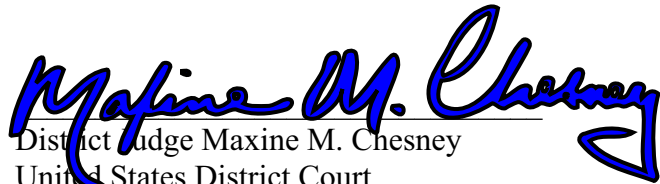
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1 **ORDER**

2 Having reviewed the file and the Unopposed Ex Parte Application and for
3 good cause appearing, IT IS SO ORDERED that the Court hereby vacates its
4 previous Order for the parties to file a Case Management Statement by Friday,
5 October 16, 2009, and further vacates the Order that the parties appear at a Case
6 Management Conference on October 23, 2009.

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8 Dated: October 19, 2009

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10 District Judge Maxine M. Chesney
11 United States District Court
12 Northern District of California.
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