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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

|                           |   |                                  |
|---------------------------|---|----------------------------------|
| ALEJANDRO MOYA,           | ) |                                  |
|                           | ) |                                  |
| Plaintiff,                | ) | No. C 08-4097 BZ                 |
|                           | ) |                                  |
| v.                        | ) |                                  |
|                           | ) | <b>ORDER CERTIFYING CASE FOR</b> |
| CHASE CARDMEMBER SERVICE, | ) | <b>INTERLOCUTORY APPEAL</b>      |
|                           | ) |                                  |
|                           | ) |                                  |
| Defendant.                | ) |                                  |
| _____                     | ) |                                  |

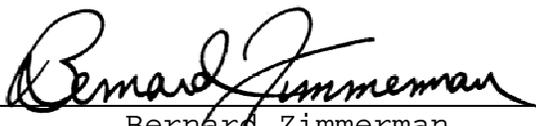
On January 26, 2009, this Court held a status conference in this matter. Defendant Chase Bank USA, N.A. had previously filed a motion to amend the order of January 8, 2009, by certifying it for immediate appeal. That motion was noticed for hearing on February 25, 2009. At the status conference, plaintiff's counsel stated, upon inquiry from the Court, that he would not oppose this motion. Good cause appearing therefore, **IT IS HEREBY ORDERED** as follows:

This Court hereby incorporates the order of January 8, 2009, herein in its entirety, and further makes the finding that the order involves a controlling question of law, as to which there is substantial ground for difference of opinion,

1 and that an immediate appeal from the order may materially  
2 advance the ultimate termination of this litigation. **IT IS**  
3 **THEREFORE ORDERED** that this matter is hereby certified for  
4 appeal pursuant to 28 U.S.C. sec. 1292(b).

5 **IT IS FURTHER ORDERED** that all proceedings, including  
6 discovery, are **STAYED** pending a resolution of this appeal.

7 Dated: January 27, 2009

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Bernard Zimmerman  
United States Magistrate Judge

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