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

11 FRANKLIN ENTERPRISES, INC., a)
 Liberia company,)
 12)
 Plaintiff,)
 13)
 vs.)
 14)
 PASSPORT CAPITAL, LLC, a)
 Delaware limited liability company;)
 15 PASSPORT MANAGEMENT, LLC, a)
 Delaware limited liability company;)
 16 PASSPORT ENERGY FUND, LTD., a)
 British Virgin Islands business)
 17 company; PASSPORT ENERGY)
 18 MASTER FUND SPC, LTD., a British)
 Virgin Islands segregated portfolio)
 19 company; and JOHN H. BURBANK III,)
 an individual,)
 20)
 Defendants.)
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Case No. C 08-4797 SI

**[PROPOSED] ORDER
 RESCHEDULING DEFENDANTS'
 MOTION TO DISMISS AND
 INITIAL CASE MANAGEMENT
 CONFERENCE**

Hon. Susan Illston
 Ctrm 10, 19th Floor

Action Filed: October 20, 2008
 Trial Date: None Set

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1 The Court, pursuant to the parties' Joint Stipulation filed January 2, 2009, and
2 having fully considered herein the papers filed by the parties in relation to
3 Defendants' Administrative Motion Pursuant to Civil Local Rule 7-11 to Reschedule
4 Hearing Date and Initial Case Management Conference, and good cause appearing
5 therefor,

6 IT IS HEREBY ORDERED that,

7 1. The hearing on Defendants' Motion to Dismiss Complaint will be on
8 February 6, 2009, at 9:00 a.m.;

9 2. Plaintiff's opposition and Defendants' reply briefs regarding
10 Defendants' Motion to Dismiss Complaint will be filed as required by L.R. 7-3;

11 3. The Initial Case Management Conference currently scheduled for
12 January 30, 2009 will be rescheduled to February 27, 2009, at 2 p.m.

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Dated: _____



HONORABLE SUSAN ILLSTON
United States District Court Judge