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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

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 14 REGAL STONE LTD. and FLEET) Case No. CV 08 5096 (BZ)
 MANAGEMENT LTD,)
 15)
 Plaintiffs,) **~~[PROPOSED]~~ ORDER VACATING**
 16) **SEPTEMBER 25, 2009 CASE**
 vs.) **MANAGEMENT CONFERENCE AND**
 17) **RELATED DATES**
 ALAN F. SMOOT, CHARLES CALZA,)
 18 EUGENE BELOGORSKY, PATTY TUCKER,)
 AND NORTH BAY SLEEP MEDICINE)
 19 INSTITUTE, INC.,)
)
 20 Defendants.)
)
 21)

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 23 Based upon stipulation of the Parties, and good cause appearing therefore, the
 24 September 25, 2009 Case Management Conference and September 18, 2009 filing deadline for the
 25 Case Management Statement are hereby vacated pending this court’s ruling on Plaintiffs’ motion to
 26 consolidate this case with Case Nos. C09-01469(SC), CV 07 05800 (SC), C 07 06045 (SC),
 27 CV 08 02052 (SC), CV 08 2268 (SC), and CV 08 5098 (SC) for pretrial and discovery purposes (the
 28 “Motion”). If this court grants the Motion, the September 25, 2009 Case Management Conference and

1 September 18, 2009 filing deadline for the Case Management Statement will be unnecessary and
2 duplicative as the parties will participate in the coordinated discovery contemplated in the
3 Consolidated Cases. If this court denies the Motion, then new dates for the Case Management
4 Conference and deadline for submitting a joint Case Management Statement will be selected by this
5 Court after the September 25, 2009 hearing on the Motion or at any other time this court chooses to do
6 so.

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8 **IT IS SO ORDERED.**

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11 DATED: September 3, 2009

