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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

NEWPORT BUILDERS, INC., a Nevada Corporation,  
  
Plaintiff,  
  
vs.  
  
NORTH BAY CONSTRUCTION, INC., a California corporation,  
  
Defendant.

Case No: C 09-0184 SBA

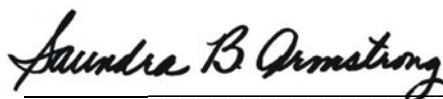
**ORDER DENYING MOTION TO CONTINUE HEARING**

[Docket 61]

The Court has read and considered Plaintiff's ex parte motion to continue the hearing on Defendant's motion to strike, which is set for hearing on June 30, 2009. The ex parte motion is DENIED. However, no appearance on the motion is required. The Court, in its discretion, finds Defendant's motion suitable for resolution without oral argument. See Fed.R.Civ.P. 78(b).

IT IS SO ORDERED.

Dated: June 30, 2009



Hon. Sandra Brown Armstrong  
United States District Judge