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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOE HAND PROMOTIONS, INC.,

Plaintiff,

No. C 09-00454 WHA

v.

MALAYTHONG BUSH a/k/a  
MALAYTHONG SINGH, individually  
and d/b/a LUCKY PIZZA,

Defendants.


**ORDER VACATING HEARING  
AND DENYING AS MOOT  
PLAINTIFF'S MOTION TO SET  
ASIDE SETTLEMENT AND  
REOPEN ACTION**

Plaintiff Joe Hand Promotions, Inc. has sued defendant Malaythong Bush for allegedly exhibiting at a commercial establishment a pay-per-view fight telecast to which plaintiff claims to have owned the exclusive domestic commercial exhibition rights. On September 17, 2009, plaintiff filed a "notice of settlement" stating that the parties had reached a settlement of this action and would file a stipulation of dismissal on or before March 1, 2010 (Dkt. No. 36). Now plaintiff has filed a "motion to set aside settlement and reopen action" on the grounds that defendants have allegedly failed to honor the terms of the settlement agreement. However, no fully executed and final version of a stipulation of settlement or dismissal was ever filed and the

1 action was accordingly never closed. Plaintiff's motion is therefore **DENIED AS MOOT**. All  
2 deadlines set by the case management order (Dkt. No. 33) remain in effect. The hearing  
3 scheduled for February 25, 2010, is **VACATED**.

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5 **IT IS SO ORDERED.**

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7 Dated: February 17, 2010.

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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE