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

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

PEGASUS WIRELESS CORPORATION,

Defendants.

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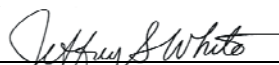
No. C 09-02302 JSW

**ORDER DENYING MOTION TO  
APPOINT COUNSEL**

On May 24, 2011, the Court issued an Order requiring the parties to submit responses by June 3, 2011, as to whether Mr. Durland's motion for appointment of counsel had been resolved. Plaintiff has filed an opposition to the motion. Mr. Durland has not filed any further briefing. Having considered the motion, and Plaintiff's opposition thereto, the Court DENIES the motion. This ruling is without prejudice to Mr. Durland renewing his motion, should circumstances change. Plaintiff is HEREBY ORDERED to serve a copy of this Order on any party not represented by counsel, and it shall file proof of such service with the Court.

**IT IS SO ORDERED.**

Dated: June 6, 2011

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE