

United States District Court  
For the Northern District of California

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

BMMSOFT, INC.,  
Plaintiff,  
v.  
WHITE OAKS TECHNOLOGY INC.  
Defendant

No. C-09-4562 MMC

**ORDER VACATING JANUARY 15, 2010  
HEARING ON DEFENDANT’S MOTION  
TO DISMISS**

Before the Court is defendant White Oaks Technology Inc.’s (“WOTI”) motion, filed October 30, 2009, as amended November 3, 2009, to dismiss plaintiff BMMsoft, Inc.’s (“BMMsoft”) complaint. BMMsoft has filed opposition, to which WOTI has replied. Further, with leave of court, BMMsoft has filed a surreply. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter appropriate for decision on the parties’ respective written submissions and hereby VACATES the hearing scheduled for January 15, 2010.

**IT IS SO ORDERED.**

Dated: January 13, 2010

  
MAXINE M. CHESNEY  
United States District Judge