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8 Attorneys for Third-Party Defendant  
 9 AIR CHINA

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 ALLIANZ GLOBAL CORPORATE &  
 14 SPECIALTY AG, a foreign business  
 15 entity,

16 Plaintiff,

17 v.

18 EMO TRANS CALIFORNIA, INC., a  
 19 California corporation and DOES 1  
 20 through 25, inclusive,

21 Defendants,

22 EMO TRANS CALIFORNIA, INC.

23 Third-Party Plaintiffs,

24 v.

25 AIR CHINA,

26 Third-Party Defendant.

Case No. 3:09-cv-04893 (MHP)

**ORDER ~~[PROPOSED]~~**

**DATE:** March 29, 2010  
**TIME:** 2:00 p.m.  
**DEPT:** 15  
**JUDGE:** Hon. Marilyn Hall Patel

27 This matter, having come before the Court on the motion of Third-Party  
 28 Defendant Air China for an Order seeking leave to: (1) shorten time for hearing on

ORDER [PROPOSED]

3:09-cv-04893 (MHP)

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1 Air China's Motion for Leave to File a Motion to Dismiss; and (2) file a Motion to  
2 Dismiss prior to the April 26, 2010 Initial Case Management Conference, on notice  
3 to Plaintiff, Third Party Plaintiff and the Court, and Plaintiff and Third-Party  
4 Plaintiff having no opposition thereto, for good cause shown;

5 It is on this \_\_\_\_\_ day of March, 2010;

6 **ORDERED** that

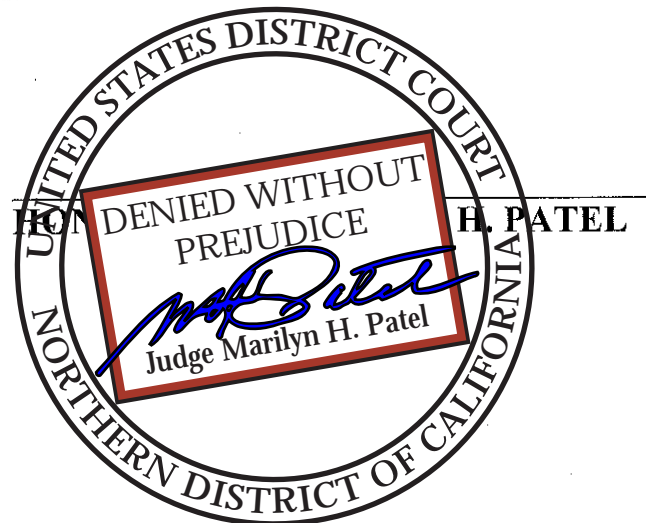
7 (a) the Time for the hearing on Third-Party Plaintiff's Motion for Leave to  
8 File a Motion to Dismiss to is shortened to March 29, 2010; and

9 (b) Third-Party Defendant's Motion for Leave to file a Motion to Dismiss  
10 prior to the Initial Case Management Conference is GRANTED. The briefing  
11 schedule on the Motion to Dismiss shall be as follows:

Motion to Dismiss	March 15, 2010
Opposition Brief	April 12, 2010
Reply Brief	April 19, 2010
Hearing Date	May 3, 2010

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17 IT IS SO ORDERED.

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19 DATED: March 25, 2010



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**PROOF OF SERVICE**

**STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO**

I am a employed in the County of San Francisco, State of California, I am over the age of eighteen years, and not a party to the within action. My business address is 101 Second Street, 24<sup>th</sup> Floor, San Francisco, California 94105. On March 22, 2010, I served the document(s) described as:

**AIR CHINA'S ORDER [PROPOSED]**

on the party(s) in this action as follows:

- (BY FAX) by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.
- (BY MAIL): as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than on day after the date of deposit for mailing in affidavit.
- (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- (BY OVERNIGHT DELIVERY) I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.
- (BY ELECTRONIC FILING WITH THE CLERK OF THE COURT USING THE CM/ECF SYSTEM), which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have filed a Notice of Consent to Electronic Service in this action:

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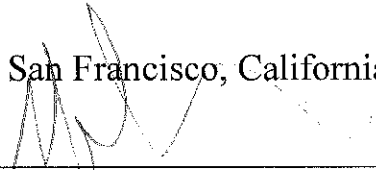
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10 I declare I am a member of the bar of this court.

11 Executed on March 22, 2010, at San Francisco, California.

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13 \_\_\_\_\_  
14 Michael Hession

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