

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

BOON RAWD TRADING  
INTERNATIONAL CO., LTD,

No. C 09-05617 WHA

Plaintiff,

v.

**ORDER RE HEARING  
ON MOTION FOR  
SUMMARY JUDGMENT**

PALEEWONG TRADING CO., INC.,

Defendant.

\_\_\_\_\_  
AND RELATED COUNTERCLAIMS  
\_\_\_\_\_

The hearing on Boon Rawd’s motion for summary judgment remains set for March 3, 2011. The parties should be prepared to address the following question at oral argument: if the facts and circumstances would warrant a finding of an implied-in-fact contract but would also, alternatively, warrant a finding *against* such a contract, should the jury be instructed that it must find against such a contract?

**IT IS SO ORDERED.**

Dated: February 28, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE