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

DOLLAR TREE STORES INC,

No. C 10-325 SI

Plaintiff,

**ORDER DIRECTING FURTHER
BRIEFING**

v.


TOYAMA PARTNERS LLC, *et al.*,

Defendants.

The Court directs the parties to file supplemental briefs on the issue of what remedies are available to Dollar Tree if the Court finds the liquidated damages provision unenforceable. The Court is interested in whether there is any authority specifically addressing the situation where parties have contractually agreed to limit remedies to liquidated damages and the liquidated damages provision is later held unenforceable. The parties shall file supplemental briefs of no more than ten pages by **February 27, 2012.**

IT IS SO ORDERED.

Dated: February 21, 2012



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California