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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EUKOR CAR CARRIERS INC.,)
)
Plaintiff(s),)
)
v.)
)
CHEMOIL CORPORATION,)
)
Defendant(s).)
)
)
_____)

No. C10-0408 BZ

**ORDER FOR SUPPLEMENTAL
BRIEFING**

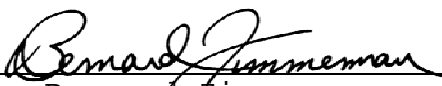
By Thursday, April 8, 2010, Eukor shall file a supplemental brief limited to 5 pages addressing only the following two issues:

1. The relationship between Eukor and Wilhelmsen including an explanation for why Eukor appears on Wilhelmsen’s website as averred by Mr. Tolson.

2. Eukor’s standing to bring this action if the Court concludes that it is not a party to the contract between Wilhelmsen and Chemoil, as Eukor asserts, given the rule established in Robins Dry Dock & Repair Co. v. Flint, 275 U.S. at 309, 48 S.Ct. 134 (citations omitted) and recently affirmed

1 by the Ninth Circuit in Nautilus Marine, Inc. v. Niemela, 170
2 F.3d 1195, 1196 (9th Cir. 1999).

3 Dated: April 5, 2010

4 
5 _____
6 Bernard Zimmerman
7 United States Magistrate Judge

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