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6 **UNITED STATES DISTRICT COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**  
8 **SAN FRANCISCO DIVISION**  
9

10 GARY ARDEN,

11 Plaintiff,

12 v.

13 FRANK KASTELL, et al.,

14 Defendants.  
15

Case No. 10-cv-00436 NC

**PRELIMINARY ORDER  
GRANTING DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT**

Re: Docket No. 70

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17 The Court preliminarily GRANTS Defendant's Motion for Summary Judgment.  
18 The Court will issue a final Order and Judgment shortly. The pre-trial conference  
19 scheduled for December 14, 2011, the trial scheduled for January 9, 2012, and all pre-trial  
20 filing deadlines are VACATED.  
21

22 IT IS SO ORDERED.

23  
24 DATED: December 8, 2011

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NATHANAEL M. COUSINS  
United States Magistrate Judge  
27  
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Case No. 10-cv-00436 NC  
PRELIM. ORDER RE: MOTION FOR  
SUMMARY JUDGMENT