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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAXINE ELLIS,	)	
	)	
	)	No. C10-1599 BZ
	)	
Plaintiff(s),	)	
	)	
v.	)	
	)	
	)	<b>ORDER RESOLVING</b>
DOTNEXT INC.; LEAPFISH INC.;	)	<b>PLEADING MOTIONS</b>
BEHNAM BEHROUZI; RUSSELL	)	
SAFAR; DOES 1-10 inclusive,	)	
	)	
Defendant(s).	)	
	)	
_____	)	

Plaintiff having voluntarily dismissed Leapfish, **IT IS HEREBY ORDERED** that Leapfish's motion to dismiss (Docket No. 6) is **DENIED AS MOOT** and that the hearing on that motion presently scheduled for July 21, 2010 is **VACATED**.

Having received statements of non-opposition from defendants DotNext and Behrouzi, **IT IS HEREBY ORDERED** that plaintiff's motion to file a supplemental complaint (Docket No. 21) is **GRANTED**. Defendants shall answer by **July 19, 2010**.

The impact of the supplemental complaint on defendant

1 Safar's motion to dismiss (Docket No. 7) and the impact of the  
2 DotNext's answer and amended counterclaim (Docket No. 29) on  
3 plaintiff's motion to dismiss (Docket No. 19), is unclear.

4 **IT IS THEREFORE ORDERED** that by **July 9, 2010** the parties shall  
5 meet and confer and thereafter file a joint writing clarifying  
6 which motions still need Court resolution. The parties shall  
7 also discuss whether they are not better off using their  
8 resources in an early settlement effort, as opposed to a  
9 pleading war. The Court is prepared to schedule an early ADR  
10 at the parties request.

11 Dated: July 2, 2010



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Bernard Zimmerman  
United States Magistrate Judge

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