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

AOL INC., a Delaware corporation,  
Plaintiff,

No. C 10-01992 WHA

v.


MORGAN SLADE D/B/A  
THEKITCHENDAILY.COM and  
DOES 1 through 10,  
Defendants.

**ORDER REGARDING PENDING  
SETTLEMENT AND MOTION  
TO STRIKE, AND VACATING  
HEARING**

On July 2, 2010, plaintiff AOL Inc. filed a motion to strike defendant Morgan Slade's affirmative defenses, with a hearing noticed for August 12 (Dkt. No. 32). On July 26, instead of filing an opposition to the pending motion, defendant Slade filed a notice that "[t]he parties have resolved their dispute and . . . [d]efendant therefore believes that no [o]pposition to the [m]otion to [s]trike is required" (Dkt. No. 41). The notice also stated that it was "anticipated that the parties will submit a proposed [s]tipulated [d]ismissal [o]rder prior to the August 12 . . . hearing date" (*ibid.*). Defendant Slade is cautioned that if a stipulated dismissal is not filed **BY 8:00 A.M. ON AUGUST 12**, the motion to strike will be granted. The August 12 hearing is **VACATED**.

**IT IS SO ORDERED.**

Dated: August 2, 2010.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE