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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BURT XAVIER and JAMES FRANKLIN,  
Individually, and on Behalf of Themselves and  
All Others Similarly Situated,

Plaintiffs,

v.

PHILIP MORRIS USA INC., a Virginia  
corporation,

Defendant.

Case No. 3:10-cv-02067 WHA

**DEFENDANT PHILIP MORRIS USA  
INC.'S REQUEST TO BRING INTO THE  
FEDERAL COURTHOUSE ELECTRONIC  
EQUIPMENT FOR THE MARCH 31, 2011  
HEARING AND ~~(PROPOSED)~~ ORDER**

Date: March 31, 2011  
Time: 8:00 a.m.  
Dept.: Courtroom 9, 19<sup>th</sup> Floor  
Judge: The Hon. William Alsup

Defendant Philip Morris USA Inc. hereby requests permission to bring into the Federal Courthouse located at 450 Golden Gate Avenue, San Francisco, California and set up in the courtroom of the Honorable William Alsup certain electronic equipment for use at the March 31, 2011 hearings regarding Plaintiff's Motion for Class Certification, Defendant's Motion for Summary Judgment, and Defendant's Motion for Judgment on the Pleadings. The equipment will include: a laptop, a projector, a projection screen, and miscellaneous cables and power cords.

1 Date: March 25, 2011

Respectfully submitted,  
SHOOK, HARDY AND BACON, L.L.P.

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4 /s/ Tammy B. Webb  
Tammy B. Webb


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6 Attorneys for Defendant  
PHILIP MORRIS USA INC.

7  
8 **PROPOSED ORDER**

9 The Court, having considered Defendant's request to bring the above-listed electronic  
10 equipment into the courtroom, hereby grants that request. The equipment may be brought in and set  
11 up between ~~\_\_\_ p.m. and \_\_\_ p.m. on March 30, 2011.~~ 7:30 a.m. and 8:00 a.m. on March 31, 2011.\*

12 IT IS SO ORDERED.

13  
14 Dated: March 28, 2011.

  
The Honorable William Alsup  
United States District Judge

15  
16 \*The equipment must be set up in a manner that will not interfere with the other hearings.  
17 The parties should be aware that time for the hearings will be limited.