

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

INNOSPAN CORP.,

No. C 10-04422 WHA

Plaintiff,

v.

**AMENDED ORDER
GRANTING LEAVE
TO FILE RULE 41 MOTION**

INTUIT INC., MINT SOFTWARE INC.,
SHASTA VENTURES GP, LLC, and
DOES 1-20,

Defendants.

AND RELATED COUNTERCLAIMS.

Defendants Intuit Inc. and Mint Software Inc. request leave to file a motion for involuntary dismissal pursuant to FRCP 41(b) in light of plaintiff's failure to comply with a sanctions order that required plaintiff to pay Intuit \$272,603.10 by November 2, 2011 (Dkt. No. 243). Plaintiff opposes (Dkt. No. 245). Having considered the submissions from both sides, the request is **GRANTED**. The motion must be filed by **NOVEMBER 17, 2011**. It must be noticed to be heard and briefed on the normal 35-day track. The hearing on defendants' motions for summary judgment will be postponed from December 1 to **8:00 A.M. ON JANUARY 5, 2012**. The briefing schedules for those motions, however, remain unchanged.

IT IS SO ORDERED.

Dated: November 7, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE