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

ROY D. NEWPORT, *et al.*, No. C 10-04511 WHA

Plaintiffs/Counter-Defendants,

v.

BURGER KING CORPORATION,

Defendant/Counter-Claimant,

v.

ANTELOPE VALLEY RESTAURANTS, INC, *et al.*,

Counter-Defendants.

MOHAN VALLABHAPURAPU, *et al.*,

Plaintiffs,

No. C 11-667 WHA

v.

BURGER KING CORPORATION,

Defendant.

**ORDER GRANTING BURGER
KING CORPORATION
PERMISSION TO FILE
MOTION FOR SUMMARY
JUDGMENT AND OTHERWISE
STAYING *NEWPORT* ACTION**

All proceedings in *Newport v. Burger King Corporation*, No. 10-4511, are stayed pending further order with the sole exception that Burger King Corporation may bring a summary judgment motion, limited to twenty pages in briefing and two hundred pages in exhibits, directed solely at whether the *Day* settlement created any rights in favor of the franchisees so as to create a duty of care in their favor. All oppositions must be joint and must be limited to twenty pages and

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two hundred pages of exhibits. The reply shall be ten pages (no exhibits). Said motion may be brought within 14 calendar days of the date of this order. The same motion must also be filed in *Vallabhapurapu v. Burger King Corporation*, No. 11-667, so as to have parallel effect in both cases.

IT IS SO ORDERED.

Dated: January 4, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE