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9 Attorneys for Defendants  
 FRANK GHIORSO; THERMALGUARD  
 10 TECHNOLOGY, LLC; THERMALGUARD, LLC

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 ATS PRODUCTS, INC.,  
 15 Plaintiff,  
 16 v.  
 17 FRANK GHIORSO; THERMALGUARD  
 TECHNOLOGY, LLC;  
 18 THERMALGUARD, LLC, et al.,  
 19 Defendants.

CASE NO. CV 10 04880 BZ  
**DEFENDANTS' REQUEST TO APPEAR  
 TELEPHONICALLY AT STATUS  
 CONFERENCE; AND [PROPOSED]  
 ORDER**  
 Date: August 16, 2011  
 Time: 4:00 p.m.  
 Judge: Hon. Brian Zimmerman

20 AND RELATED COUNTER-CLAIM.  
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1 Defendant and Counter-Claimant Frank Ghiorso, and Defendants Thermalguard  
2 Technology, LLC and Thermalguard, LLC respectfully request permission to attend  
3 telephonically the Status Conference scheduled for August 16, 2011 at 1:30 p.m.

4 Dated: August 11, 2011

HOPKINS & CARLEY  
A Law Corporation

By: / s / John V. Picone III

John V. Picone III  
Attorneys for Defendants  
FRANK GHIORSO; THERMALGUARD  
TECHNOLOGY, LLC;  
THERMALGUARD, LLC

11 ~~PROPOSED~~ ORDER GRANTING REQUEST

12 The Court having read and considered the above request, orders as follows:

13 IT IS HEREBY ORDERED that Defendant and Counter-Claimant Frank Ghiorso and  
14 Defendants Thermalguard Technology, LLC, Thermalguard, LLC's Request to Appear  
15 Telephonically at the Status Conference is GRANTED.

16 IT IS SO ORDERED.

18 Dated: August 15, 2011

  
Hon. Bernard Zimmerman  
United States Magistrate Judge

1 **PROOF OF SERVICE**

2 I, Diana L. Hodges, declare:

3 I am a citizen of the United States and employed in Santa Clara County, California. I am  
4 over the age of eighteen years and not a party to the within-entitled action. My business address  
5 is The Letitia Building, 70 South First Street, San Jose, California 95113-2406. On August 11,  
6 2011, I served a copy of the within document:

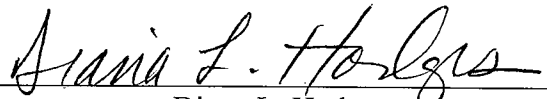
7 **DEFENDANTS' REQUEST TO APPEAR**  
8 **TELEPHONICALLY AT STATUS CONFERENCE; AND**  
9 **[PROPOSED] ORDER**

10  by electronically mailing a true and correct copy through Hopkins & Carley's  
11 electronic mail system to the email addresses set forth below, or as stated on the  
12 attached service list per agreement in accordance with Code of Civil Procedure  
13 section 1010.6(a)(6).

14 Marc Shea, Esq.  
15 *mshea@sheamcintyre.com*  
16 John McIntyre, Esq.  
17 *jmcintyre@sheamcintyre.com*  
18 Shea & McIntyre  
19 2166 The Alameda  
20 San Jose, CA 95126-1144

21 I declare under penalty of perjury under the laws of the State of California that the above  
22 is true and correct.

23 Executed on August 11, 2011, at San Jose, California.

24 

25 Diana L. Hodges