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 2 POPELKA LAW GROUP, A P.C.
 3 2166 The Alameda
 4 San Jose, CA 95126-1144
 5 [408] 298-6611
 6 [408] 275-0814 Facsimile

7 Attorneys for Plaintiff
 8 ATS PRODUCTS, INC.

9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NORTHERN CALIFORNIA – SAN FRANCISCO DIVISION**

11 ATS PRODUCTS, INC.,

12 Plaintiff,

13 v.

14 FRANK GHIORSO; THERMALGUARD
 15 TECHNOLOGY, LLC; THERMALGUARD,
 16 LLC,

17 Defendants.

18 Case No. CV10-04880 BZ

19 **ATS PRODUCTS, INC.'S REQUEST**
 20 **FOR COURT CALL APPEARANCE**
 21 **FOR STATUS CONFERENCE; AND**
 22 **[PROPOSED] ORDER GRANTING**
 23 **REQUEST**

24 Plaintiff ATS Products, Inc. respectfully requests permission to attend telephonically the
 25 Status Conference scheduled for **February 14, 2011** at 4:00 p.m.

26 Dated: ~~January~~ ^{Feb} 2, 2011

27 POPELKA LAW GROUP, P.C.

28 
 By: Marc L. Shea, Attorney for Plaintiffs

~~[PROPOSED]~~ ORDER GRANTING REQUEST

The Court having read and considered the above, makes the following Order:

IT IS HEREBY ORDERED that ATS Products, Inc.'s Request for Court Call
 Appearance is GRANTED.

Dated: Feb. 4, ____, 2011


 HON. BERNARD ZIMMERMAN, MAGISTRATE
 JUDGE OF THE US DISTRICT COURT

Y:\a\ATS v Ghiorso\Pldg\Plaintiff's Proposed Order granting ATS's request for court call.1.11.11.wpd

1 **Case Name:** ATS v. Frank Ghiorso, Thermalguard Technology, LLC & Thermalguard
2 LLC
3 **Court:** United States District Court, Northern District
4 **Case No.** C10-4880 BZ
5 **Our File No.**

6 **PROOF OF SERVICE**

7 STATE OF CALIFORNIA }
8 COUNTY OF SANTA CLARA } ss.

9 I am a citizen of the United States and a resident of the County of Santa Clara, State of
10 California; I am over the age of eighteen years and not a party to the within action; my business
11 address is 2166 The Alameda, San Jose, CA 95126. On the date set forth below I served the
12 document[s] described as:

13 **ATS PRODUCTS, INC.'S REQUEST FOR COURT CALL APPEARANCE FOR STATUS**
14 **CONFERENCE AND [PROPOSED] ORDER GRANTING REQUEST AND PROOF OF**
15 **SERVICE**

16 on the following person[s] in this action by placing a true copy thereof enclosed in a sealed
17 envelope addressed as follows:

18 John V. Picone
19 Jennifer S. Coleman
20 Hopkins & Carley
21 70 S. First Street
22 San Jose, CA 95113
23 Fax: (408) 998-4790
24 E-mail: jpicone@hopkinscarley.com
25 jcoleman@hopkinscarley.com

26 Attorneys for Frank Ghiorso,
27 Thermalguard Technology, LLC,
28 Thermalguard, LLC

29 [BY MAIL] I caused such envelope[s] with postage thereon fully prepaid to be placed in
30 the United States mail at San Jose, California.

31 [BY PERSONAL SERVICE] I caused such envelope[s], as indicated above, to be
32 delivered by hand this date to the offices of the addressee[s].


33 [BY FACSIMILE] I caused such document[s] to be transmitted by facsimile on this date to
34 the offices of addressee[s] and the facsimile machine complies with Rule 2003(3) of the
35 California Rules of Court and was reported as complete and without error at the time
36 specified on the transmission confirmation report and was properly issued by the
37 transmitting facsimile machine operating at [408] 275-0814.

38 [BY ELECTRONIC MAIL] I caused such document[s] to be transmitted by electronic
39 mail on 11/30/10, to the offices of addressee[s] without return error notification from
40 electronic mail address adevine@popelka.com.

41 [BY FEDERAL EXPRESS] I caused such envelope[s] with postage thereon fully prepaid
42 to be placed for collection by Federal Express at San Jose, California.

43 [FEDERAL] I declare that I am employed in the office of a member of the bar of this court
44 at whose direction the service was made.

45 Executed on February 2, 2011, at San Jose, California.

46 
47 _____
48 Anita Devine

49 Y:\a\ATS v Ghiorso\Pldg\POS\POSReq\CtCall.2.2.11.wpd