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

12 INNOVATION VENTURES, LLC et al. )  
 13 Plaintiffs. )

15 Vs. )

17 PITTSBURGH WHOLESALE )  
 GROCERS d/b/a PITCO FOODS et al., )  
 18 Defendants )

Case No. 12-CV-5523-WHA

~~PROPOSED~~ ORDER AUTHORIZING  
 PLAINTIFFS TO WITHDRAW THEIR  
 MOTION TO STRIKE AFFIRMATIVE  
 DEFENSES MADE BY DEFENDANTS  
 DANDEE COMPANY, INC., KEVIN  
 ATTIQ AND FADI ATTIQ, AND  
 GRANTING LEAVE TO THESE  
 DEFENDANTS TO FILE AMENDED  
 ANSWERS

The Hon. William Alsup

21 RELATED ACTIONS )

Courtroom 8, 19th Floor

22 Complaint Filed: October 26, 2012  
 Trial Date: Not set

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 28 ~~PROPOSED~~ ORDER AUTHORIZING PLAINTIFFS TO WITHDRAW THEIR MOTION TO  
 STRIKE AFFIRMATIVE DEFENSES MADE BY DEFENDANTS DANDEE COMPANY, INC., ETC.

1 WHEREAS, Defendants Dandee Company, Inc., Kevin Attiq, and Fadi Attiq (collectively, the  
2 Dandee Defendants”) each answered Plaintiffs’ Second Amended Complaint on January 23, 2013  
3 (Docket Nos. 159 and 161); and

4 WHEREAS, Plaintiffs moved to strike certain of the affirmative defenses set forth in these  
5 answers on February 19, 2013 (Docket No. 191); and

6 WHEREAS, the hearing of this motion is set for March 28, 2013, and the Dandee  
7 Defendants’ opposition papers are due on March 5, 2013; and

8 WHEREAS, the Dandee Defendants prefer to amend their respective answers rather than  
9 oppose Plaintiffs’ motion to strike; and

10 WHEREAS, Plaintiffs and the Dandee Defendants have stipulated to the below matters and  
11 have asked this Court to enter them as an Order of this Court; and

12 WHEREFORE, the Court now makes the following ORDER.

- 13 1. Plaintiffs are deemed to have withdrawn their above Motion to Strike (Docket No.  
14 191).
- 15 2. Each Dandee Defendant is given leave to file an amended answer to Plaintiffs’ Second  
16 Amended Complaint, and each of them must do so no later than March 8, 2013.
- 17 3. The Court now takes off calendar the hearing of Plaintiffs’ above Motion to Strike,  
18 which was set for March 28, 2013.

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20 **IT IS SO ORDERED.**

21 Dated: March 6, 2013.

22   
23 The Hon. William H. Alsup  
UNITED STATES DISTRICT COURT JUDGE

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