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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **OAKLAND DIVISION**

13 FREECYCLESUNNYVALE,
 14 a California unincorporated association,
 15 Plaintiff,

16 v.

17 THE FREECYCLE NETWORK, INC.,
 an Arizona corporation,
 18 Defendant.

CASE NO. C 06-00324 CW

**[PROPOSED] ORDER DENYING
 FREECYCLESUNNYVALE'S MOTION
 FOR SUMMARY ADJUDICATION
 UNDER FED.R.CIV.P.56**

Date: September 27, 2007
 Time: 2:00 p.m.
 Before: Honorable Claudia Wilken
 Location: Courtroom 2

19
 20 THE FREECYCLE NETWORK, INC.
 an Arizona corporation,
 21 Counterclaimant,

22 v.

23 FREECYCLESUNNYVALE,
 24 a California unincorporated association,
 25 Counterdefendant,

26
 27 Upon considering Plaintiff and Counterdefendant Freecyclesunnyvale's ("Plaintiff")
 28 Motion for Summary Adjudication Under Fed.R.Civ.P.56 ("Motion"), and defendant The

1 Freecycle Network's Opposition to the Motion, the Court having considered the materials and
2 arguments presented to the Court in connection with the Motion and Opposition,

3 IT IS HEREBY ORDERED that Plaintiff Freecyclesunnyvale's Motion is DENIED.

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5 IT IS SO ORDERED.

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7 Dated: _____

8 _____
9 The Honorable Claudia Wilken
10 United States District Court Judge
11 Northern District of California
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