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

12 FREECYCLESUNNYVALE, a California
 13 unincorporated association,

14 Plaintiff,

15 v.

16 THE FREECYCLE NETWORK, INC., an
 17 Arizona corporation,

18 Defendant.

CASE NO. C O6-00324 CW

**[PROPOSED]
 ORDER GRANTING MOTION TO
 DISMISS COMPLAINT UNDER RULE
 12(b)(6)**

Date: March 31, 2006
 Time: 10:00 a.m.
 Place: Courtroom 2 (Oakland)
 Judge: Honorable Claudia Wilkin

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 21 On March 31, 2006, Defendant The Freecycle Network was heard in this Court before the
 22 Honorable Claudia Wilkin. After considering the materials and oral argument presented by the
 23 parties, and good cause appearing:

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IT IS HEREBY ORDERED that The Freecycle Network's motion is granted. FreecycleSunnyvale's claims for (1) Declaratory Judgment; and (2) Tortious Interference against The Freecycle Network are hereby dismissed with prejudice.

Dated: _____.

The Honorable Claudia Wilkin
United States District Court Judge