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

14 FREECYCLESUNNYVALE,
a California unincorporated association,

15 Plaintiff,

16 v.

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

19 Defendant.

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

22 Counterclaimant,

23 v.

24 FREECYCLESUNNYVALE,
25 a California unincorporated association,

26 Counterdefendant,

CASE NO. C 06-00324 CW

**[PROPOSED] ORDER DENYING
FREECYCLESUNNYVALE'S
ADMINISTRATIVE MOTION FOR
RECONSIDERATION OF THIS COURT'S
AUGUST 10, 2007, ORDER DENYING
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT WITHOUT PREJUDICE**

1 Upon considering Plaintiff and Counterdefendant Freecyclesunnyvale's ("Plaintiff")
2 Administrative Motion To Reconsider this Court's August 10, 2007, Order Denying Plaintiff's
3 Motion for Summary Judgment Without Prejudice ("Motion"), and defendant The Freecycle
4 Network's Opposition to the Motion, the Court having considered the materials and arguments
5 presented to the Court in connection with the Motion and Opposition,

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

7 The Court's Order Denying Plaintiff's Motion for Summary Judgment Without Prejudice
8 and Denying Defendant's Administrative Motion to Change Hearing Date as Moot (Docket
9 Entry No. 85) continues to remain in effect. Plaintiff's Motion for Summary Adjudication
10 (Docket Entry No. 76) is DENIED without prejudice to renoticing for February 28, 2008, the
11 cut-off date for case dispositive motions, or such earlier date as is agreeable to both parties and
12 the Court's calendar.

13 IT IS SO ORDERED.

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15 Dated: _____

16 _____
17 The Honorable Claudia Wilken
18 United States District Court Judge
19 Northern District of California
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