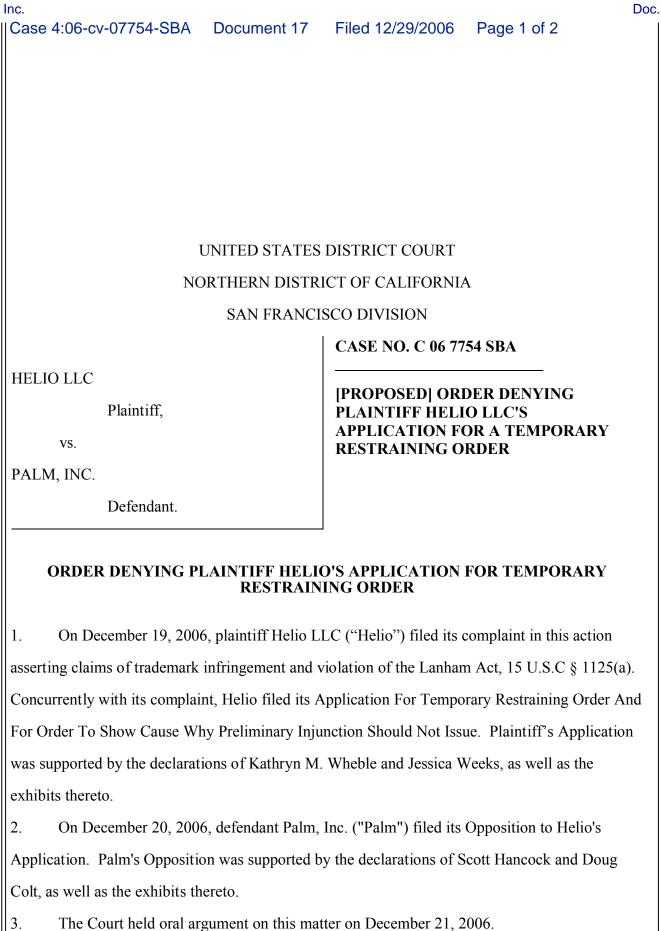
Helio LLC v. Palm, Inc.



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1 Kevin C. Trock of Kirkpatrick & Lockhart Nicholson Graham appeared and argued for 4. plaintiff Helio. Deborah Bailey-Wells, and Harold H. Davis, Jr. also appeared on behalf of Helio. 2 3 5. Brian C. Cannon of Quinn Emanuel Urguhart Oliver & Hedges appeared and argued for defendant Palm. Charles Verhoeven, Doug Colt and Kathryn Cole also appeared on behalf of 4 5 Palm and Claude M. Stern appeared on Palm's brief. 6. In accordance with Fed. R. Civ. P. 65 and Civ. L.R. 65-1, the Court has given full 6 7 consideration to the papers and evidence in support of and in opposition to Plaintiff's Application, 8 the relevant authorities, and the respective arguments of counsel. Following an extensive hearing 9 on December 21, 2006, and based upon the findings and rulings announced at that hearing, IT IS **HEREBY ORDERED:** 10 7. Plaintiff's Application for a Temporary Restraining Order is DENIED. 11 12 8. A hearing on a motion for a preliminary injunction shall be held on March 6, 2007, at a 13 time to be determined by the Court, in the courtroom of the Honorable Judge Armstrong located at 1301 Clay Street, Oakland, CA 94612. 14 9. 15 Plaintiff's papers in support of the motion shall be filed by January 30, 2007. 10. Defendant's papers in opposition to the motion shall be filed by February 13, 2007. 16 17 Any reply papers in support of the motion shall be filed by February 20, 2007. 11. 18 12. Each party shall be entitled to take up to two depositions prior to the hearing and the 19 parties shall be entitled to serve Requests for Production of Documents prior to the hearing. No 20 other written discovery shall be permitted, except upon stipulation of the parties. The parties shall 21 meet and confer to develop a discovery schedule in connection with this expedited discovery. 22 SO ORDERED. DATED: , 2006 23 24 By The Honorable Saundra Brown Armstrong 25 United States District Court Judge 26

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Case No. C 06 7754 SBA [PROPOSED] ORDER DENYING TRO