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UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

WINDERMERE HOLDINGS, LLC.,

No. C 10-03955 LB

Plaintiff,

**ORDER CONTINUING JANUARY 6,  
2011 CASE MANAGEMENT  
CONFERENCE**

v.

U.S. WALL DECOR, LLC., *et al.*,

Defendants.

On September 2, 2010, Plaintiff filed a Complaint alleging that Defendants had violated various trademark and copyright laws. Complaint, ECF No. 1. Defendants filed an Amended Answer on December 22, 2010 asserting various defenses, counterclaims, and a crossclaim against Thomas Kinkade. Amended Answer, ECF No. 18. The Court Clerk issued a Summons for a Third-Party Complaint on December 27, 2010 but Defendants have not yet filed a proof of service for Thomas Kinkade and he has not yet appeared in this matter. ECF No. 19. Currently, a Case Management Conference is on calendar for January 6, 2011 and the parties' consents to this Court's jurisdiction are due by December 30, 2010. *See* ECF No. 17. Because Defendants have not yet served Thomas Kinkade and he has not appeared in this case, the Court **HEREBY VACATES** the initial CMC that

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1 is set for January 6, 2011 and **RESETS** it to February 24, 2011 at 1:30 p.m.

2 **IT IS SO ORDERED.**

3 Dated: December 28, 2010



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LAUREL BEELER  
United States Magistrate Judge

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