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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TIEN TIEN FOOD COMPANY, INC. a
California corporation

Plaintiff,

vs.

GATE GOURMET, INC., a Delaware
corporation; and DOES 1 through 50

Defendants.

CASE NO. 4:11-cv-5272 CW

**~~PROPOSED~~ ORDER GRANTING
DEFENDANT GATE GOURMET, INC.'S
MOTION TO TRANSFER
PLAINTIFF'S COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(b)(3)**

1 Defendant Gate Gourmet, Inc.'s Motion to Dismiss or Transfer Plaintiff's Complaint
2 Pursuant to Fed. R. Civ. P. 12(b)(3) or, in the Alternative, To Dismiss Pursuant to Fed. R. Civ. P.
3 12(b)(6) (the "Motion") came on regularly for hearing before this Court on January 19, 2012. The
4 appearances of counsel for the parties were made and noted on the record.

5 After full consideration of the written evidence and arguments submitted by the parties, the
6 Court's records and files on this action, and the oral arguments of the parties' counsel, IT IS
7 HEREBY ORDERED AS FOLLOWS:


8 1. The Motion shall be and hereby is GRANTED.

9
10 *[and]*

11 2. Plaintiff's Complaint is transferred to the Eastern District of Virginia pursuant to
12 Fed. R. Civ. P. 12(b)(3).

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14 IT IS SO ORDERED.

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16 Dated: 1/23/2012


17 HONORABLE CLAUDIA WILKEN
18 UNITED STATES DISTRICT JUDGE
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