

United States District Court
For the Northern District of California

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E-FILED on 9/30/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FIRST NATIONAL MORTGAGE
COMPANY, a California corporation,

Plaintiff,

v.

FEDERAL REALTY INVESTMENT TRUST,

Defendant.


No. C-03-02013 RMW

ORDER DENYING DEFENDANT'S
MOTION FOR LEAVE TO FILE A MOTION
FOR RECONSIDERATION

[Re Docket No. 563]

On October 31, 2007 defendant Federal Realty Investment Trust ("Federal Realty") moved for leave to file a motion for reconsideration of this court's Order of September 12, 2005 which granted in part and denied in part cross-motions *in limine* dealing with the "time of award" for any damages calculation. The motion was inadvertently left on the docket. It was denied without prejudice subject to consideration of the issue being considered during the trial.

DATED: 9/30/2008


RONALD M. WHYTE
United States District Judge

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9 Counsel are responsible for distributing copies of this document to co-counsel that have not
10 registered for e-filing under the court's CM/ECF program.

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12 **Dated:** 9/30/2008

13 TSF
Chambers of Judge Whyte

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