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

Thomas A. Paulsen, et al.,

NO. C 03-03960 JW

Plaintiffs,

**ORDER VACATING CASE  
MANAGEMENT CONFERENCE;  
SETTING HEARING FOR DEFENDANT'S  
ANTICIPATED MOTION TO DISMISS**

v.

Towers Perrin Forster & Crosby, Inc.,

Defendant.

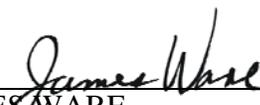
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This case is scheduled for a Case Management Conference on October 19, 2009. The parties submitted a Joint Case Management Statement. (Docket Item No. 196.) Upon review of the Joint Statement, the Court finds that, in light of Defendant's anticipated Motion to Dismiss, the scheduled Conference is not necessary at this time. Accordingly, the Court VACATES the October 19, 2009, Case Management Conference. The Court will set a further case management conference, if necessary, in its Order on the anticipated Motion to Dismiss.

The Court sets **January 25, 2010 at 9 a.m.** as the hearing date for Defendant's Motion. The parties may Stipulate to a briefing schedule subject to the Reply brief being filed on or before **January 4, 2009.**

With respect to the parties' dispute regarding whether Defendant is obligated to comply with Fed. R. Civ. P. 26(a), the Court finds that it does, even with its anticipated Motion to Dismiss. Accordingly, on or before **November 2, 2009**, Defendant shall make its Initial Disclosures.

Dated: October 15, 2009

  
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JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: October 15, 2009**

**Richard W. Wieking, Clerk**

By:           /s/ JW Chambers            
**Elizabeth Garcia**  
**Courtroom Deputy**