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 MECHANICAL CO., INC.

7
 8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 10

11 ADVANCED MICROTHERM, INC., et.
 12 al.,

13 Plaintiff,

14 v.

15 NORMAN WRIGHT MECHANICAL
 16 EQUIPMENT,

17 Defendant
 18

) Civil Action No.: C04-02266 JW

) **STIPULATION TO WITHDRAW MOTION**
) **TO QUASH AND ~~PROPOSED~~ ORDER**

) Date: December 15, 2009

) Time: 10:00 A.M.

) Dept.: Courtroom 5, 4th Floor

) 280 S. 1st Street, San Jose, CA 95113

) Judge: Hon. Patricia V. Trumbull
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1 **WHEREAS** Plaintiff ADVANCED MICROTHERM, INC. ("AMI") has served a third-
2 party subpoena on RAY L. HELLWIG MECHANICAL CO., INC. ("HELLWIG") in the above
3 matter

4 **WHEREAS** HELLWIG has filed a Motion to Quash the third-party subpoena of AMI
5 with above entitled Court on the grounds that AMI failed to take reasonable steps to avoid
6 imposing an undue burden or expense on HELLWIG when drafting the subpoena.

7 **WHEREAS** HELLWIG and AMI have reached an agreement to pair down the subpoena,
8 thus avoiding the imposition of undue burden or expense on HELLWIG.

9 **IT IS HEREBY STIPULATED AND AGREED** that HELLWIG's Motion to Quash be
10 withdrawn; and the hearing thereon, currently set for Tuesday, December 15, 2009, be vacated.

11
12 Dated: December 7, 2009

MILLER, MORTON, CAILLAT & NEVIS, LLP

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14 By: /s/
15 ERIC C. MCALLISTER.
16 Attorneys for Non-Party RAY L. HELLWIG
MECHANICAL CO., INC.

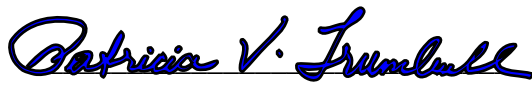
17 Dated: December 7, 2009

LAW OFFICES OF ZANE NEGRYCH

18
19 By: /s/
20 ZANE NEGRYCH
21 Attorneys for Plaintiff ADVANCED
MICROTHERM, INC.

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23 **IT IS SO ORDERED.**

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25
26 Dated: 12/8/09


Hon. Patricia V. Trumbull