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22 **UNITED STATES DISTRICT COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA**
24 **SAN JOSE DIVISION**

25 **JOHN KARAMANOS, ADVANCED**
26 **MICROTHERM, INC.; HVAC SALES,**
27 **INC.,**

28 **Plaintiffs,**

29 **vs.**

30 **NORMAN WRIGHT MECHANICAL**
31 **EQUIPMENT CORPORATION, et al,**
Defendants.

Civil Action No.: C 04-2266 JW

STIPULATION AND ORDER
RESETTING HEARING ON DEFENDANTS,
NORMAN WRIGHT MECHANICAL'S AND
F.W. SPENCER & SON'S, MOTIONS TO
COMPEL AND SETTING BRIEFING
SCHEDULE

Judge: Hon. James Ware
Magistrate Judge: Hon. Patricia Trumbull

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

WHEREAS, Defendant Norman Wright Mechanical has filed and served three (3) motions to compel Plaintiffs' further responses to discovery as follows:

NORMAN WRIGHT MECHANICAL'S MOTION TO COMPEL PLAINTIFFS' FURTHER RESPONSES TO SPECIAL INTERROGATORIES, SET 2;

NORMAN WRIGHT MECHANICAL'S MOTION TO COMPEL PLAINTIFFS' FURTHER RESPONSES TO NORMAN RIGHT'S SPECIAL INTERROGATORIES TO PLAINTIFFS 23-25; and

NORMAN WRIGHT MECHANICAL'S MOTION TO COMPEL PLAINTIFFS' FURTHER PRODUCTION AND RESPONSES TO DEMAND FOR PRODUCTION, SET 4.

Each motion presently calendared to heard by this Court on February 9, 2010.

WHEREAS, Defendant F.W. Spencer has filed and served two (2) motions to compel Plaintiffs' further responses to discovery as follows:

DEFENDANT F.W. SPENCER & SON, INC.'S MOTION TO COMPEL PLAINTIFF ADVANCED MICROTHERM, INC. TO PROVIDE FURTHER RESPONSES TO SPECIAL INTERROGATORIES 1-16 AND TO DETERMINE THE SUFFICIENCY OF RESPONSES TO SPECIAL INTERROGATORIES 1-16, AND REQUEST FOR SANCTIONS PURSUANT TO FRCP 37, and

F.W. SPENCER & SON, INC.'S MOTION TO COMPEL PLAINTIFF ADVANCED MICROTHERM, INC. TO PRODUCE ALL DOCUMENTS RESPONSIVE TO REQUESTS FOR PRODUCTION 8-15; AND REQUEST FOR SANCTIONS.

Each motion also presently calendared to heard by this Court on February 9, 2010.

WHEREAS, Defendants, Norman Wright Mechanical and F.W. Spencer & Son, and Plaintiffs, Advanced Microtherm, Inc. and HVAC Sales, Inc. have stipulated to resetting the hearing date for the above referenced Motions to Compel to **March 2, 2010**.

WHEREAS, Defendants, Norman Wright Mechanical and F.W. Spencer & Son, and Plaintiffs, Advanced Microtherm, Inc. and HVAC Sales, Inc. have stipulated to resetting the

