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

Advanced Microtherm, Inc., et al.,

NO. C 04-02266 JW

Plaintiffs,

**ORDER ESTABLISHING SCOPE OF
JUNE 1, 2009 HEARING**

v.

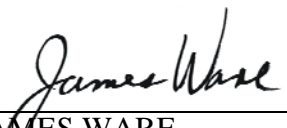
Norman Wright Mechanical Equipment
Corp., et al.,

Defendants.

Presently before the Court are (1) Magistrate Judge Trumbull’s Report and Recommendation Regarding Case Schedule and Scope of Trial (Docket Item No. 935) and (2) Defendant Norman Wright’s Objections to Judge Trumbull’s Report and Recommendation (Docket Item No. 943). Plaintiffs have filed an Opposition to Defendant’s Objections. (Docket Item No. 949.)

Upon review of Judge Trumbull’s recommendations and the parties’ competing contentions in response to Judge Trumbull’s recommendations, the Court is persuaded that oral argument on the issues raised by Judge Trumbull will facilitate the Court’s ability to bring this case to trial. As a companion to its present Objections, Defendant Norman Wright has filed a Motion for Hearing to Confirm Parameters of Separate Rule 42(b) Trial. (Docket Item No. 938.) A hearing on this motion is set for June 1, 2009. In light of the relatedness of this motion to Defendant’s Objections, the Court directs the parties to prepare to address all pending issues surrounding the scope of remaining discovery and trial at the June 1 hearing, including the issues raised by Judge Trumbull.

Dated: May 18, 2009



JAMES WARE
United States District Judge

United States District Court
For the Northern District of California

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Dated: May 18, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy