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

10 Carlyle Fortran Trust,  
11 \_\_\_\_\_/

NO. C 05-00427 JW  
NO. C 05-00428 JW

12 CarrAmerica Realty,

**ORDER FOLLOWING CASE  
MANAGEMENT CONFERENCE**

13 Plaintiffs,

14 v.

15 Nvidia Corporation, et al.,

16 Defendants.  
17 \_\_\_\_\_/

On July 7, 2009, the parties in both actions appeared for a case management conference.

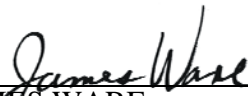
Based on the discussion at the conference, the Court sets the following schedule:

- 18 (1) CarrAmerica shall file its Amended Complaint consistent with the Ninth Circuit  
19 remand on or before **August 10, 2009**.
- 20 (2) On **November 2, 2009 at 9 a.m.**, the Court will conduct a hearing on the following  
21 anticipated Motions:
- 22 (a) Nvidia's Motion to Dismiss CarrAmerica's Amended Complaint.  
23 Briefing shall be conducted in accordance with the applicable Civil  
24 Local Rules of this Court.
- 25 (b) Carlyle's Motion for Interlocutory Appeal. On or before **October 9,**  
26 **2009**, the parties shall file a Joint Status Report to update the Court as  
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1 to the United States Supreme Court's disposition of Carlyle's petition  
2 for a writ of certiorari.

- 3 (3) On **November 2, 2009**, the Court will conduct a Case Management Conference for  
4 both cases following the hearing on the Motions. On or before **October 23, 2009**, the  
5 parties in each case shall file a Joint Case Management Statement. The Statement  
6 shall contain a chart depicting the procedure poster of all related cases.

7  
8 Dated: July 8, 2009

  
9 JAMES WARE  
United States District Judge

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

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**Dated: July 8, 2009**

**Richard W. Wieking, Clerk**

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