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

Carlyle Fortran Trust,
_____ /

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

CarrAmerica Realty,

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

Plaintiffs,

v.

Nvidia Corporation, et al.,

Defendants.
_____ /

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:

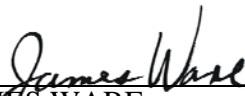
- (1) CarrAmerica shall file its Amended Complaint consistent with the Ninth Circuit remand on or before **August 10, 2009**.
- (2) On **November 2, 2009 at 9 a.m.**, the Court will conduct a hearing on the following anticipated Motions:
 - (a) Nvidia's Motion to Dismiss CarrAmerica's Amended Complaint.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

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to the United States Supreme Court's disposition of Carlyle's petition
for a writ of certiorari.

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

Dated: July 8, 2009



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: July 8, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy