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7 Attorney for Objectors

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 IN RE:

12 CLRB HANSON INDUSTRIES, LLC d/b/a  
13 INDUSTRIAL PRINTING, and HOWARD  
14 STERN, on behalf of themselves and all others  
15 similarly situated,

16 Plaintiffs,

17 v.

18 GOOGLE, INC.

19 Defendant.

CASE NO: C 05-03649 JW PVT

OPPOSITION TO PROPOSED AUGUST 11,  
2009 HEARING RE: MOTION TO COMPEL  
OBJECTOR TESTIMONY

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21 On Friday, August 7, 2009, the undersigned counsel called Magistrate Judge Trumbull's  
22 docket clerk to advise that the undersigned's paralegal had discovered Plaintiffs' Notice of  
23 Motion and Motion to Compel Objector Depositions [333] and Plaintiffs' Motion to Shorten  
24 Time for Hearing on Plaintiffs' Motion to Compel Objector Depositions [334] as a result of a  
25 PACER search. Magistrate Trumbull's docket clerk reported that it had been noted that the  
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1 undersigned counsel had not received service and referred the undersigned counsel to Magistrate  
2 Trumbull's law clerk who advised that the undersigned should submit a filing Monday morning,  
3 August 10, 2009 regarding the failure of service of documents 333 and 334.

4 This morning, August 10, 2009, the undersigned counsel's office received documents  
5 333 and 334 via regular U.S. mail. As a result of the failure of service until this morning, the  
6 undersigned counsel objects to a hearing on this matter being scheduled tomorrow, August 11,  
7 2009. The undersigned counsel believes there is compelling legal authority in this District to  
8 prohibit unnamed class member depositions and wants a full and fair opportunity to oppose  
9 Plaintiff counsel's oppressive attempt at depositions before the September 14, 2009 Fairness  
10 Hearing. See Local Rule 6-3(c).  
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14 Respectfully submitted,

15 /s/Steve Miller  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 10th day of August, 2009, I have electronically filed the foregoing document with the Clerk of the Court using the CM/ECF which will send notification of such filing to the following:

Plaintiff's Counsel:

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/s/Steve A. Miller  
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