

1 SARA M. THORPE (SBN 146529)
 sthorpe@gordonrees.com
 2 D. CHRISTOPHER KERBY (SBN 124546)
 ckerby@gordonrees.com
 3 GORDON & REES LLP
 Embarcadero Center West
 4 275 Battery Street, Suite 2000
 San Francisco, CA 94111
 5 Telephone: (415) 986-5900
 Facsimile: (415) 986-8054

6 Attorneys for Defendant
 7 ST. PAUL MERCURY INSURANCE COMPANY

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

11 NETSCAPE COMMUNICATIONS CORPORATION, a Delaware corporation; and 12 AMERICAN ONLINE, INC., a Delaware corporation, 13 14 vs. 15 FEDERAL INSURANCE COMPANY, an Indiana corporation; et al., 16 17 Defendants.	Plaintiffs, Defendants.) CASE NO. 5:06-CV-00198 JW (PVT))) [PROPOSED] ORDER GRANTING) LEAVE TO FILE ADDITIONAL) AUTHORITY [L.R. 7-3(d)])) The Hon. James Ware) Dept. 5
--	--	--

Gordon & Rees LLP
 275 Battery Street, Suite 2000
 San Francisco, CA 94111

18 The Court grants St. Paul Mercury Insurance Company's motion for leave to file *St. Paul*
 19 *Fire and Marine Ins. Co. v. Brother International Corp.* 2007 WL25711960 (D.N.J.), Civil No.
 20 06-2759 (FLW), entered August 31, 2007, as an additional authority relating to the cross-motions
 21 for summary judgment currently pending before the Court.

22 IT IS SO ORDERED.

24 Dated: _____ JAMES WARE
 25 United States District Judge