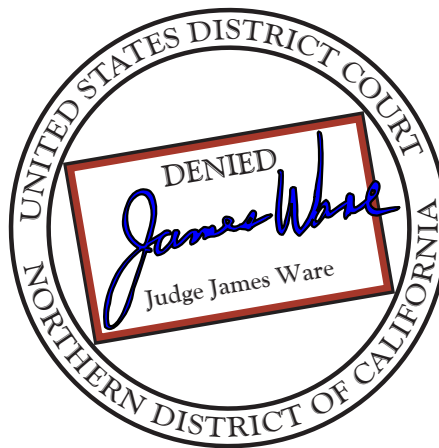


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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT COURT OF CALIFORNIA
10 SAN JOSE DIVISION

11 NETSCAPE COMMUNICATIONS) CASE NO. 5:06-CV-00198 JW (PVT)
CORPORATION, a Delaware corporation; and)
12 AMERICAN ONLINE, INC., a Delaware)
corporation,) **ORDER DENYING MOTION FOR**
13) **LEAVE TO FILE RECENT DECISION**
Plaintiffs,) **AS MOOT**
14 vs.) The Hon. James Ware
15 FEDERAL INSURANCE COMPANY, an)
Indiana corporation; et al.,) Dept. 5
16 Defendants.)
17)

18
19 On September 27, 2007, St. Paul filed its second motion for leave to file statement of
20 recent decision. (See Docket Item No. 153.) On October 10, 2007, the Court issued its Order
21 Denying Plaintiffs' Motion for Partial Summary Judgment; Granting St. Paul's Motion for
22 Partial Summary Judgment re: Duty to Defend. (See Docket Item No. 155.) In light of the
23 Court's Summary Judgment Order, St. Paul's second motion for leave to file statement of recent
24 decision is DENIED as moot.

25
26
27 Dated: October 12, 2007

28 

JAMES WARE
United States District Judge