

1 **E-Filed 5/18/2011**

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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11
12 TYCO THERMAL CONTROLS LLC,

13 Plaintiff,

14 v.

15 REDWOOD INDUSTRIALS, et al.,

16 Defendants.

17 ROWE INDUSTRIES, INC.,

18 Counter-Claimant,

19 v.

20 TYCO THERMAL CONTROLS LLC,

21 Counter-Defendant.
22

Case Nos. 5:06-cv-07164-JF/PSG
5:10-cv-01606-JF/PSG

ORDER¹ DENYING WITHOUT
PREJUDICE MOTION FOR ENTRY
OF PRETRIAL SCHEDULING
ORDER

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24 Plaintiff Tyco Thermal Controls LLC (“Tyco”) seeks entry of a pretrial scheduling order.
25 However, it appears that Tyco’s motion is premature in light of the potential need for additional
26 discovery that could result from the disposition of the pending motion for summary judgment
27 filed by Defendant Rowe Industries, Inc. Accordingly, the motion for entry of a pretrial

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1 This disposition is not designated for publication in the official reports.

1 scheduling order will be DENIED WITHOUT PREJUDICE.

2 **IT IS SO ORDERED.**

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4 DATED: May 16, 2011



JEREMY FOGEL
United States District Judge

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