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3		E-FILED on 11/13/08
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8	IN THE UNITED STA	TES DISTRICT COURT
9		ISTRICT OF CALIFORNIA
10	SAN JOSE	DIVISION
11		
12	MK BALLISTIC SYSTEMS and MICHAEL KEITH,	No. 5:07-cv-00688 RMW
13	Plaintiffs,	
14	V.	
15	WILLIAM SIMPSON, in his individual	ORDER
16	capacity, JOHN SARSFIELD in his individual capacity, and DOES 1 through 10,	
17	inclusive,	
18	Defendants.	
19		
20	In his late-filed opposition to the motion to	dismiss, Plaintiff Michael Keith has raised the
21	possibility that he did not receive service of the defendants' motion to dismiss because of an error i	
22	the zip code. Therefore, defendants may file a re	ply to plaintiffs' opposition by November 14, 20
23	Additionally, if defendants feel that service on the	motion to dismiss was adequate, they can so
24	argue in their reply.	
25		
26	DATED: <u>11/08/08</u>	Konald m white
27		RONALD M. WHYTE United States District Judge
28		
	ORDER —No. 5:07-cv-00688 RMW ANK	

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3	Notice of this document has been electronically sent to:		
4	Plaintiff:		
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6	Wilchael 71. Reith	Whender_Keltin 5 @ yanoo.com	
7	Counsel for Defendants:		
8	Hugh F. Lennon	hfl@robinsonwood.com	
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12	Counsel are responsible for distributing copies of this document to co-counsel that have no registered for e-filing under the court's CM/ECF program.		
13	registered for e-fiffing under the co	ourt's CM/ECF program.	
14	Dotada 11/12/09	IAC	
15	Dated: 11/13/08	JAS Chambara of Judge Whyte	
16		Chambers of Judge Whyte	
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