

United States District Court
For the Northern District of California

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E-FILED on 10/23/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHAD BRAZIL and STEVEN SEICK
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

DELL INC. and Does 1-10,

Defendants.

No. C-07-01700 RMW

ORDER VACATING HEARING DATE

Defendant Dell Inc.'s motion to dismiss and motion to strike, presently set for hearing on November 7, 2008 are hereby submitted on the papers without oral argument. *See* Civil L.R. 7-1(b). The hearing date of November 7, 2008 is vacated. If, upon consideration of the matter, the court deems that oral argument is necessary or would be helpful to the court, the matter will be reset for hearing no earlier than December 5, 2008.

DATED: 10/22/08



RONALD M. WHYTE
United States District Judge

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13 Counsel are responsible for distributing copies of this document to co-counsel that have not
14 registered for e-filing under the court's CM/ECF program.

15 **Dated:** 10/23/08

16 /s/ JAS
17 **Chambers of Judge Whyte**