

1 Michael F. Tubach (S.B. #145955) –mtubach@omm.com
 Thomas P. Brown (S.B. #182916)–tbrown@omm.com
 2 Randall W. Edwards (S.B. #179053)–redwards@omm.com
 Katherine M. Robison (S.B. #221556)–krobison@omm.com
 3 O'MELVENY & MYERS LLP
 Two Embarcadero Center, 28th Floor
 4 San Francisco, CA 94111-3305
 Telephone: (415) 984-8700
 5 Facsimile: (415) 984-8701

6
 7 Attorneys for Defendant
 eBay Inc.

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

12
 13 IN RE EBAY SELLER ANTITRUST
 LITIGATION

Case No. C 07-01882 (JF)(RS)

**[PROPOSED] ORDER PERMITTING
 USE OF ELECTRONIC EQUIPMENT
 AND PROJECTOR**

Action Filed: April 4, 2007

14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

1 WHEREAS, this Court has set a special hearing for Plaintiffs' Motion for Class
2 Certification and Defendant eBay Inc.'s Motion for Summary Judgment to begin at 9:00
3 a.m. on Tuesday, December 1, 2009 in its October 23, 2009 Order (Docket No. 535);

4 WHEREAS, the Court's order directed the parties to coordinate with the court
5 clerk before the hearing date regarding the use of any visual aides at the hearing;

6 WHEREAS, Defendant eBay, Inc. ("eBay") seeks permission to bring into the
7 courtroom and use a computer projection system consisting of one projector, one
8 visualizer (ELMO), two speakers, one laptop computer, one cart, and one box of computer
9 cables, connectors and accessories as part of its presentation during the hearing on
10 Tuesday, December 1, 2009;

11 WHEREAS, eBay seeks permission to have their equipment set up in Courtroom 3
12 at 8:00 a.m. on December 1, 2009, or such other time that is convenient for the Court, and
13 remove the equipment immediately after the hearing, or such other time that is convenient
14 for the Court;

15 GOOD CAUSE APPEARING, IT IS ORDERED THAT eBay is permitted to
16 bring into Courtroom 3 and set up the following equipment at 8:00 a.m. on December 1,
17 2009, to use this equipment during eBay's presentation on December 1, 2009, and to
18 remove this equipment from Courtroom 3 immediately after the hearing:

- 19 1. one (1) projector;
- 20 2. one (1) visualizer (ELMO)
- 21 3. two (2) speakers;
- 22 4. one (1) laptop computer;
- 23 5. one (1) cart;
- 24 6. one (1) box of computer cables, connectors, and accessories.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 24, 2009

O'MELVENY & MYERS LLP

By: /s/ Katherine M. Robison
Katherine M. Robison

Attorneys for Defendant
eBay Inc.

ORDER

IT IS SO ORDERED.

Dated: 11/24/09



The Honorable Jeremy D. Fogel
United States District Judge

SF1:782059.1