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6 Attorneys for Ford Motor Company, and Ford
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

11 FORD MOTOR CREDIT COMPANY LLC, a
 Delaware limited liability company,

Case No.: C 07-03301 RS

12 Plaintiff,

~~PROPOSED~~ ORDER APPROVING
 STIPULATION RESOLVING "EX
 PARTE APPLICATION" AND
 VACATING TRIAL DATE AND
 CONTINUING HEARING ON
 MOTIONS FOR SUMMARY
 JUDGMENT (as modified by the Court)

13 vs.

14 LEWIS FAMILY ENTERPRISES, INC., dba
 15 BOB LEWIS LINCOLN MERCURY, a
 California corporation, and STEVEN ROBERT
 16 LEWIS, an individual,

Judge: Hon. Richard Seeborg

17 Defendants.

Complaint Date: June 22, 2007
 Trial Date: March 15, 2010

18 AND RELATED CROSS-ACTION

19 LEWIS FAMILY ENTERPRISES, INC., dba
 20 BOB LEWIS LINCOLN MERCURY, a
 California corporation, and STEVEN ROBERT
 21 LEWIS, an individual,

22 Cross-Complainants,

23 vs.

24 FORD MOTOR CREDIT COMPANY LLC, a
 Delaware limited liability company; FORD
 25 MOTOR COMPANY, a Delaware corporation;
 CAPITAL EXPRESSWAY FORD, INC., a
 26 Delaware corporation,

27 Cross-Defendants.

28 10872/0122/782703.1

1 The Court after reviewing the Stipulation Resolving "Ex Parte Application" and Request
2 for Order Vacating Trial Date and Continuing Hearing on Motions for Summary Judgment
3 ("Stipulation"), and for good cause appearing, makes the following order:

4 IT IS HEREBY ORDERED that the Stipulation is approved.

5 IT IS FURTHER ORDERED that:

- 6 a. The hearing on the motions for summary judgment filed by Capital Expressway Ford,
7 Inc. ("CEF"), Cross-Defendants, Ford Motor Company ("Ford") and Plaintiff and
8 Cross-Defendant, Ford Motor Credit Company LLC ("Ford Credit"), currently
9 scheduled to be heard on January 27, 2010 at 9:30 a.m. shall be continued to
10 March 10, 2010 at 9:30 a.m.;
- 11 b. Defendants and Cross-Complainants, Lewis Family Enterprise, Inc. ("Lewis Family")
12 and Steven Robert Lewis ("Lewis") shall file and serve opposition to the motions for
13 summary judgment on or before February 10, 2010;
- 14 c. CEF, Ford and Ford Credit shall file and serve any reply on or before February 25,
15 2010;
- 16 d. The trial date of March 15, 2010, the final pretrial conference date of March 3, 2010,
17 and all other remaining pretrial deadlines shall be vacated subject to being reset at the
18 continued hearing on March 10, 2010; and
- 19 e. Pursuant to Civil Local Rule 6-3, matters of this nature are not set for hearing, absent court order.
20 Accordingly, any notice given that the "ex parte application" would be heard on January 13, 2009, was of no
effect and the matter was not calendared for hearing on that or any other date.

21 DATED: January 8, 2010
22 _____


23 Hon. Richard Seeborg
24 United States District Judge