

\*\*E-Filed 10/28/09\*\*

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

DESPINA ASVESTA,  
Petitioner,  
v.  
GEORGE PETROUTSAS,  
Respondent

Case Number C 07-5535 JF

**ORDER<sup>1</sup> SETTING HEARING  
DATE AND BRIEFING SCHEDULE**

Pursuant to its discussion with counsel today, the Court will hear oral argument on Petitioner's request for relief under the Hague Convention on December 1, 2009, at 1:30 p.m. The parties shall file hearing briefs on or before November 25, 2009. In addition to any other matter counsel deem appropriate, the briefs shall address the question of whether the Court should exercise its discretion to receive additional evidence with respect to the minor child's country of habitual residence.

Pursuant to the Ninth Circuit's mandate, the Court will vacate its order awarding costs to

<sup>1</sup> This disposition is not designated for publication in the official reports.

Petitioner. The existing access order will remain in effect pending the December 1 hearing and until further order of the Court, without prejudice to Respondent's right to seek retroactive reallocation of travel costs.

**IT IS SO ORDERED.**

DATED: 10/28/09

  
JEREMY FOGEL  
United States District Judge

1 This Order has been served upon the following persons:

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