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United States District Court
For the Northern District of California

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

Shoppers Corner, Inc.,
Plaintiff,
v.
Hussmann Corporation,
Defendant.

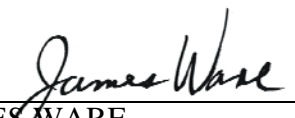
NO. C 07-06437 JW

**ORDER GRANTING DEFENDANT'S
REQUEST FOR HEARING DATE**

Presently before the Court is Defendant's Request for Hearing Date. (Docket Item No. 50). Defendant seeks to have its anticipated motion for summary judgment heard on August 17, 2009, within the time currently allotted for hearing dispositive motions by the governing scheduling order. (Docket Item No. 40.) The Court, however, has no availability on that date for hearing Defendant's motion for summary judgment. Accordingly, the Court modifies the existing scheduling order to permit Defendant's motion to be heard.

The parties shall appear on **September 28, 2009 at 9 a.m.** for a hearing on Defendant's motion for summary judgment. Briefing shall be conducted in accordance with the applicable Civil Local Rules of this Court.

Dated: July 10, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Joseph Anthony Whitecavage joseph.whitecavage@leclairryan.com
3 Peter Michael Hart peter.hart@leclairryan.com
4 Steven Francis Gruel attystevengruel@sbcglobal.net

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6 **Dated: July 10, 2009**

Richard W. Wieking, Clerk

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By: /s/ JW Chambers

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Elizabeth Garcia
Courtroom Deputy

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