

United States District Court
For the Northern District of California

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E-FILED on: 9/29/2008

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

B. DAVID MEHMET,
Plaintiff,
v.
PAYPAL, INC.,
Defendant.

No. C-08-01961 RMW

ORDER DENYING MEHMET'S MOTION
FOR CERTIFICATION OF AUGUST 12,
2008 ORDER

[Re Docket No. 30]

Plaintiff B. David Mehmet sued the defendant, Paypal, Inc., on April 14, 2008. On May 27, 2008, Mr. Mehmet moved for summary judgment on two of his claims. The court denied the motion pursuant to Rule 56(f) on August 12, 2008. See Docket No. 26, *Mehmet v. Paypal, Inc.*, 2008 WL 3495541 (N.D. Cal. Aug. 12, 2008). Mr. Mehmet moves for the court to certify the order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b).

The court denies the motion. Certifying the August 12 order for appeal will not materially advance the ultimate termination of this litigation, nor does it involve a question of law over which substantial grounds for disagreement exist. Accord 28 U.S.C. § 1292(b).

DATED: 9/26/2008



RONALD M. WHYTE
United States District Judge

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11 **Dated:** 9/29/2008

11 TSF
12 **Chambers of Judge Whyte**

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