v.

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Stewart H. Foreman (CSB #61149) 1 Daniel T. Bernhard (CSB #104229) FREELAND COOPER & FOREMAN LLP 2 150 Spear Street, Suite 1800 San Francisco, California 94105 3 Telephone: (415) 541-0200 4 Facsimile: (415) 495-4332 Email: foreman@freelandlaw.com bernhard@freelandlaw.com 5 Attorneys for Defendants 6 Todd Dunning and Dunning Enterprises 7 8 UNITED STATES DISTRICT COURT 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA 10 SAN JOSE DIVISION 11 12 EBAY, INC., Plaintiff,

CASE NO.: CV-08-4052 JF

NOTICE OF TELEPHONIC APPEARANCE AT SUBSEQUENT CASE MANAGEMENT CONFERENCE

Date:

September 25, 2009

Time:

10:30 a.m.

Place:

Dept. 3

Hon. Jeremy Fogel presiding

DIGITAL POINT SOLUTIONS, INC., SHAWN HOGAN, KESSLER'S FLYING CIRCUS,

TODD DUNNING, DUNNING ENTERPRISE, INC.,

BRIAN DUNNING, BRIANDUNNING, COM, and

THUNDERWOOD HOLDINGS, INC.,

Defendants.

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT counsel for defendants Todd Dunning and Dunning

Enterprise, Inc. will appear telephonically at the Subsequent Case Management Conference set for

September 25, 2009 at 10:30 a.m. in Department 3 of the above-captioned Court

Dated: September 14, 2009

FREELAND COOPER & FOREMAN LLP

By:

STEWART H. FOREMAN Attorneys for Defendants Todd Dunning and Dunning Enterprises

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150 Spear Street, Suite 1800

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing

NOTICE OF TELEPHONIC APPEARANCE AT SUBSEQUENT CASE MANAGEMENT CONFERENCE

was filed with the Court's Electronic Filing System on September 14, 2009 and may be accessed electronically.

Dated: September 14, 2009 FREELAND COOPER & FOREMAN LLP

> By: Joyce Johnson Attorneys for Defendants
> Todd Dunning and Dunning Enterprises