eBay Inc. v. Digital Point Solutions, Inc. et al Doc. 31 Att. 4

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

EBAY, INC., Plaintiff, v. DIGITAL POINT SOLUTIONS, INC., SHAWN HOGAN, KESSLER'S FLYING CIRCUS, THUNDERWOOD HOLDINGS, INC., TODD DUNNING, DUNNING ENTERPRISE, INC., BRIAN DUNNING, BRIANDUNNING.COM, and Does 1-20, Defendants.	Case No. CV 08-04052 JF PVT **ORDER GRANTING DEFENDANTS DIGITAL POINT SOLUTIONS, INC. AND SHAWN HOGAN'S PARTIAL MOTION TO DISMISS**

The motion of Defendants DIGITAL POINT SOLUTIONS, INC. and SHAWN HOGAN for partial dismissal of Plaintiff EBAY, INC.'s First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) came on regularly for hearing before this Court on December 12, 2008. After considering the moving and opposition papers, arguments of counsel and all other matters presented to the Court, IT IS HEREBY ORDERED THAT the motion is granted.

DATED: _____, 2008

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HON. JEREMY FOGEL
United States District Judge

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