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**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  
**[PROPOSED] ORDER GRANTING  
DEFENDANTS DIGITAL POINT  
SOLUTIONS, INC. AND SHAWN  
HOGAN’S MOTION TO TRANSFER TO  
THE UNITED STATES DISTRICT  
COURT FOR THE CENTRAL DISTRICT  
OF CALIFORNIA**

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The motion of Defendants DIGITAL POINT SOLUTIONS, INC. and SHAWN HOGAN for transfer of this action to the United States District Court for the Central District of California pursuant to 28 U.S.C. §1404(a) came on regularly for hearing before this Court on June 26, 2009. The parties were represented by their respective counsel of record.

After considering the moving and opposition papers, arguments of counsel and all other matters presented to the Court, the Court **HEREBY GRANTS** the motion to transfer and **DIRECTS** the Clerk to

1 transfer this action to the United States District Court for the Central District of California.

2 DATED: \_\_\_\_\_, 2009

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4 HON. JEREMY FOGEL  
5 United States District Judge  
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