

United States District Court  
For the Northern District of California

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E-FILED on 02/05/09


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

DALE ROYAL BUXTON,  
Plaintiff,  
v.  
EAGLE TEST SYSTEMS, INC.,  
Defendant.

No. C-08-04404-RMW  
ORDER

On January 27, 2009, the court issued an order granting in part and denying in part Eagle Test Systems motion to dismiss. For the reasons stated at the January 23, 2009 hearing, plaintiff shall have 20 days from the date of this order to file an amended complaint.

DATED: 02/05/09

  
RONALD M. WHYTE  
United States District Judge

1 **Notice of this document has been electronically sent to:**

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**Dated:**    02/05/09

JAS  
**Chambers of Judge Whyte**