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United States District Court
For the Northern District of California

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

Emerging Vision, Inc., et al.,
Plaintiffs,
v.
For Eyes Optical Company,
Defendant.

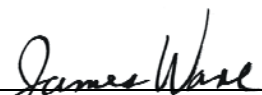
NO. C 09-01343 JW

**ORDER SETTING BRIEFING SCHEDULE
FOR DISPOSITIVE MOTIONS**

This case is scheduled for a Case Management Conference on November 9, 2009. The parties filed a Joint Case Management Statement. (See Docket Item No. 19.) Upon review of the Joint Statement, the Court finds good cause to set a briefing schedule for anticipated dispositive motions without the necessity of a conference at this time. Accordingly, the Court VACATES the Conference and sets the following briefing schedule:

- (1) On **February 8, 2010 at 9 a.m.**, the Court will conduct a hearing on anticipate dispositive motions. The parties may Stipulate to a briefing schedule. However, all briefing shall be completed on or before **January 18, 2010**.
- (2) On or before **March 22, 2010 at 11 a.m**, the parties shall appear for a Preliminary Pretrial Conference. On or before **March 12, 2010**, the parties shall file a Joint Preliminary Pretrial Conference Statement. The Statement shall include the parties' proposed trial schedule.

Dated: November 3, 2009



JAMES WARE
United States District Judge

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THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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- Susan J. Hightower shightower@pirkeybarber.com

Dated: November 3, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy