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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SHARON HODGES, et al.,)
)
Plaintiffs,)
)
v.)
)
AKEENA SOLAR, INC., et al.,)
)
Defendants.)

Case No.: C 09-02147 JW (PSG)

**ORDER TO SHOW CAUSE WHY
MOTION SHOULD NOT BE DENIED
AS MOOT**

(Re: Docket No. 65)

On December 6, 2010, all discovery matters in this case were assigned to the undersigned following Judge Trumbull's retirement.

It has come to the court's attention that on September 14, 2010, Judge Trumbull heard arguments on Defendants' Motion to Quash (Docket No. 65), but no order issued. Even though more than 120 days have passed since the motion was submitted, neither party has filed any notice pursuant to Civ. L.R. 7-13. In addition, following reassignment, the undersigned heard argument and ruled on another discovery dispute in this case. Finally, a review of the docket indicates that Chief Judge Ware has certified the class and that Defendants may be seeking an interlocutory appeal. Accordingly,

IT IS HEREBY ORDERED that Defendants shall show cause why the motion should not be denied as moot. No later than May 6, 2011, Defendants shall file a written statement regarding whether the issues underlying Defendant's motion remain in dispute. If Defendants do

ORDER

1 not respond by May 6, 2011, the parties shall appear before the undersigned at an order to show
2 cause hearing on May 10, 2011 at 2 p.m.

3 Dated: April 22, 2011

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5 PAUL S. GREWAL
6 United States Magistrate Judge

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