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United States District Court
For the Northern District of California

E-FILED on 8/12/09

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

MAITA DISTRIBUTORS, INC. OF SAN
MATEO, a California corporation,

Plaintiff,

v.

DBI BEVERAGE INC., a Tennessee
corporation,

Defendant.

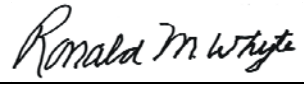
No. C-09-02318 RMW

ORDER DENYING MOTION TO STAY
ARBITRATION OR FOR PRELIMINARY
INJUNCTION

[Re Docket No. 11]

Plaintiff's motion to stay arbitration or alternatively for preliminary injunction, which came on for hearing before the court on July 10, 2009, is denied. The court has issued a scheduling order that should allow the case to be resolved prior to the scheduled commencement of the arbitration.

DATED: 8/12/09



RONALD M. WHYTE
United States District Judge

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17 registered for e-filing under the court's CM/ECF program.

18 **Dated:** 8/12/09 _____

19 _____
20 **TER**
21 **Chambers of Judge Whyte**