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| 4 | | E-FILED on <u>8/12/09</u> |
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| 8 | IN THE UNITED STATES DISTRICT COURT | |
| 9 | FOR THE NORTHERN DISTRICT OF CALIFORNIA | |
| 10 | SAN JOSE | DIVISION |
| 11 | | |
| 12 | MAITA DISTRIBUTORS, INC. OF SAN MATEO, a California corporation, | No. C-09-02318 RMW |
| 13 | Plaintiff, | |
| 14 | V. | ORDER DENYING MOTION TO STAY ARBITRATION OR FOR PRELIMINARY |
| 15 | DBI BEVERAGE INC., a Tennessee | INJUNCTION |
| 16 | corporation, | [Re Docket No. 11] |
| 17 | Defendant. | |
| 18 | | |
| 19 | Distriction to stay substruction or alto | motivaly for muliminary injunction, which come |
| 20 | Plaintiff's motion to stay arbitration or alternatively for preliminary injunction, which came | |
| 21 | 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. | |
| 22 | mat should allow the case to be resorved prior to t | ne senedured commencement of the aromation. |
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| 24 | DATED: 8/12/09 | Romald m white |
| 25 | UI I II V | RONALD M. WHYTE United States District Judge |
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ORDER DENYING MOTION TO STAY ARBITRATION OR FOR PRELIMINARY INJUNCTION—No. C-09-02318 RMW TER

| 1 | Notice of this document has been electronically sent to: | | |
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| 14 | | the court's CM/ECF program. | |
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| 15 | | | |
| | Dated: 8/12/09 | TER | |
| 16 | Dated: 8/12/09 | TER Chambers of Judge Whyte | |
| 16 17 | Dated: 8/12/09 | | |
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| 16 17 18 19 20 21 22 23 24 25 26 27 | Dated: 8/12/09 | | |