

United States District Court  
For the Northern District of California

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E-FILED on 6/10/09

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

Federal Trade Commission,  
  
Plaintiff,  
  
v.  
  
Pricewert LLC also d/b/a 3FN.net, Triple Fiber  
Network, APS Telecom, APX Telecom, APS  
Communications, and APS Communication,  
  
Defendant.

No. C-09-2407 RMW  
  
ORDER TO SHOW CAUSE and  
ORDER SETTING HEARING ON  
INTERVENOR'S MOTION TO AMEND  
TEMPORARY RESTRAINING ORDER

Pursuant to the court's June 5, 2009 order, plaintiff FTC has proposed that the court appoint a temporary receiver to address concerns raised by third parties affected by the Temporary Restraining Order. For good cause appearing, defendant and all interested parties are hereby ordered to show cause at the upcoming preliminary injunction hearing on June 15, 2009 at 9:00 a.m., why this court should not appoint a temporary receiver on terms substantially in accordance with the attached proposed order.

Furthermore, proposed intervenors' ex parte motion to amend the temporary restraining order will be heard on June 15, 2009 at 9:00. All further papers and evidence in opposition to the motion shall be filed and served no later than June 12, 2009 at 12:00 p.m. PDT.

ORDER TO SHOW CAUSE and ORDER SETTING HEARING ON INTERVENOR'S MOTION TO AMEND TEMPORARY RESTRAINING ORDER—No. C-09-2407 RMW  
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Plaintiff is hereby ordered to serve a copy of this order on defendant with a copy by e-mail to defendant's agent for services of process.

DATED: 6/10/09



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RONALD M. WHYTE  
United States District Judge

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

2 **Counsel for Plaintiff:**

3 Carl Settlemyer csettlemyer@ftc.gov  
4 Philip Tumminio ptumminio@ftc.gov

5 **Counsel for Defendants:**

6 (no appearance)

7 **Counsel for Intervenors:**

8 Jeffrey Michael Rosenfeld Jeff@KBInternetlaw.com

9  
10 Counsel are responsible for distributing copies of this document to co-counsel that have not  
11 registered for e-filing under the court's CM/ECF program.

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14 **Dated:** 6/10/09

TER  
**Chambers of Judge Whyte**

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