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**** E-filed June 17, 2010 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ED SUMMERFIELD, ARTHUR
SUMMERFIELD, and RITA
SUMMERFIELD,

No. C09-02609 HRL

**ORDER DENYING PLAINTIFFS'
REQUEST FOR JUDICIAL NOTICE**

Plaintiffs,

v.

[Re: Docket No. 61]

STRATEGIC LENDING CORPORATION,
ALI WEICHLER, LEONARDO AGUSTIN,
ERIC SWENSEN, and DOES 1-30,

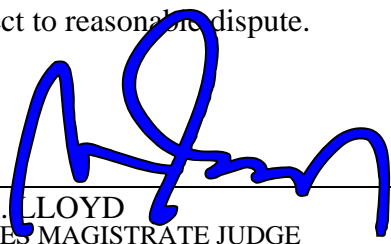
Defendants.

On June 14, 2010, Plaintiffs Ed, Arthur, and Rita Summerfield (“Plaintiffs”) filed a request that this Court take judicial notice of two purported email communications between Plaintiffs’ counsel and counsel for defendant Ali Weichler (“Weichler”). (Docket No. 61.) A court may take judicial notice of facts that are not subject to reasonable dispute. Fed. R. Evid. 201. Such facts include matters of public record, *Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir. 2001), and legislative history, *Hunt v. Check Recovery Sys., Inc.*, 478 F. Supp. 2d 1157, 1160 (N.D. Cal. 2007). As such, the court declines to take judicial notice of communications between Plaintiffs’ counsel and Weichler’s counsel because these documents are subject to reasonable dispute.

IT IS SO ORDERED.

Dated: June 17, 2010

HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE



United States District Court
For the Northern District of California

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C09-02609 HRL Notice will be electronically mailed to:

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