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11 * Pro Hac Vice Motions Pending

12 Attorneys for Defendant/Counter-claimant,
 XTOOL MOBILE SECURITY, INC.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 PHOENIX TECHNOLOGIES LTD., a
 Delaware corporation,
 18 **Plaintiff,**
 19 vs.
 20 XTOOL MOBILE SECURITY, INC., a
 Nevada corporation.
 21 **Defendant.**
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Case No. C09-02980 JW (PVT)

**ORDER DENYING STIPULATION
 REQUESTING CHANGE OF HEARING
 DATE FOR PLAINTIFF'S MOTION FOR
 SUMMARY JUDGMENT AND THE
 PRELIMINARY PRETRIAL
 CONFERENCE**

Judge: Honorable James Ware

Complaint Filed: July 2, 2009
 Trial Date: None set

1 Having considered the parties' Stipulation Requesting Change Hearing Date for Plaintiff's
2 for Summary Judgment and the Preliminary Pretrial Conference, the Court is of the opinion that the
3 requested relief should be **DENIED**.

4 IT IS THEREFORE ORDERED that

5 **The Motion for Summary Judgment and Preliminary Pretrial Conference remains as**
6 **calendared for October 4, 2010 at 9:00 AM and 11:00 AM respectively.**

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15 Dated: September 15, 2010

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18 THE HONORABLE JAMES WARE
19 UNITED STATES DISTRICT COURT JUDGE
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