

United States District Court  
For the Northern District of California

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E-FILED on 2/3/10

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

MUSSETTER DISTRIBUTING, INC., a  
California corporation,  
  
Plaintiff,  
  
v.  
  
DBI BEVERAGE INC., a Tennessee  
corporation,  
  
Defendant.

No. C-09-03112 RMW  
  
ORDER GRANTING LEAVE TO FILE  
AMICUS CURIAE BRIEF  
  
[Re Docket Nos. 67 and 68]

California Beer and Beverage Distributors has filed a motion for leave to file an *amicus* brief in connection with the parties' cross-motions for summary judgment and a motion to shorten time for hearing such motion. The motions are not opposed. Having considered the papers submitted, and for good cause appearing, the court grants CBBD's motion for leave to file an amicus brief. The court will consider the brief, submitted as an attachment to CBBD's motion, in connection with the parties' motions for summary judgment.

DATED: 2/3/10

  
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RONALD M. WHYTE  
United States District Judge

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

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20 **Dated:** 2/3/10

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**Chambers of Judge Whyte**

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