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**\*E-Filed 11/16/09\***

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

GEMTEK TECHNOLOGY CO., LTD., a  
Taiwan Corporation,

**No. C 09-03659 RS**

**ORDER TO SHOW CAUSE**

Plaintiff,

v.

3COM CORPORATION, a Delaware  
Corporation,

Defendant.

Plaintiff Gemtek Technology Co., Ltd., filed a complaint in this case on August 10, 2009. No summons was issued, nor does the docket contain any proof of service on defendant 3Com Corporation.

No later than **January 6, 2010**, plaintiff is directed to file a declaration showing cause why this case should not be summarily dismissed for failure to prosecute. Should plaintiff fail to provide adequate assurances that the case is proceeding with all due speed, a show cause hearing will take place on **January 13, 2010**, in Courtroom 4, 5th Floor, United States Courthouse, 280 South First Street, San Jose, California. Plaintiff's failure to appear may result in summary dismissal.

IT IS SO ORDERED.

Dated: 11/16/09



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RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE

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