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

Spring Design, Inc.,

NO. C 09-05185 JW

Plaintiff,

**ORDER VACATING PRELIMINARY  
PRETRIAL CONFERENCE**

v.

Barnesandnoble.com, LLC,

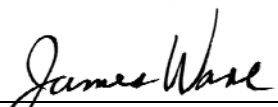
Defendant.

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This case is scheduled for a Preliminary Pretrial Conference on December 13, 2010. The parties have filed Cross-Motions for Summary Judgment. (See Docket Item Nos. 145, 151.) On November 22, 2010, the Court referred the parties to a Special Master to develop a chronology of undisputed facts relevant to the parties' Cross-Motions. (See Docket Item No. 180.) In light of the pending dispositive Motions and referral to the Special Master, the Court finds that a Preliminary Pretrial Conference would be premature at this time.

Accordingly, the Court VACATES the December 13 Conference. The Court will set a new Preliminary Pretrial Conference date in its Order addressing the parties' pending Cross-Motions for Summary Judgment, if necessary.

Dated: December 8, 2010

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

United States District Court  
For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: December 8, 2010**

**Richard W. Wieking, Clerk**

By:           /s/ JW Chambers            
**Elizabeth Garcia**  
**Courtroom Deputy**