

United States District Court
For the Northern District of California

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E-FILED on 9/15/2010

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

LARGO CARGO CO., a Florida corporation,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

GOOGLE, INC., a Delaware Corporation; and
DOES 1 through 10, inclusive,

Defendants.

No. C10-00241 RMW

ORDER DENYING EX PARTE
APPLICATION FOR AN ORDER
COMPELLING COMPLIANCE WITH
PARTIES' BINDING TERM SHEET

[Re Docket No. 24]


Plaintiff has filed an ex parte¹ application for an order compelling compliance with parties' allegedly binding term sheet on September 14, 2010. Dkt. No. 24. The application purports to set a hearing on September 17, 2010. No application for shortening time has been filed, nor a satisfactory explanation as to why the application should be heard on three days notice. Therefore, the

¹ Although plaintiff refers to the application as "ex parte," it does appear that the application has been served on defendant.

1 application is taken off the calendar without prejudice to being refiled with proper notice in
2 accordance with the Federal Rules of Civil Procedure and the Northern District of California Civil
3 Local Rules.

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DATED: 9/15/2010 _____



RONALD M. WHYTE
United States District Judge