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United States District Court
For the Northern District of California

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

Louis Levine,

Teamsters Union Local #142 Pension Trust,

Key West Police & Fire Pension Fund,

Louisiana Muni. Police Emp. Ret. Sys.

NO. C 10-03608 JW
NO. C 10-03659 JW
NO. C 10-03660 JW
NO. C 10-03716 JW

**ORDER VACATING HEARING;
SETTING CASE MANAGEMENT
CONFERENCE**

Plaintiffs.

v.

Marc L. Andreessen, et al.,
Defendants.

Presently before the Court are Plaintiffs' Motions for a Preliminary Injunction¹ set for hearing October 4, 2010. On October 1, 2010, the parties, in a joint conference call, informed the Court that they have "settled the Motions" but wish to appear to discuss "other issues" with the Court.

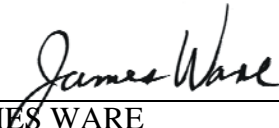
¹ (hereafter, "Motion," Docket Item No. 40 in C 10-03659; Docket Item No. 28 in C 10-03660.)

1 In light of the parties' representation, the Court VACATES the hearing on the Motions and
2 orders the Motions terminated from the docket. Since the proper forum for the parties to discuss
3 "issues" with the Court is in a Case Management Conference, the Court sets a Case Management
4 Conference for **October 18, 2010 at 10 a.m.** for all four cases.

5 On or before **October 8, 2010**, the parties shall meet and confer and file a Joint Case
6 Management Conference Statement. The Statement shall include, among other things, the parties'
7 positions with respect to: (1) HP's Motion to Consolidate Cases,² and (2) Plaintiff Levine's Motion
8 to Coordinate Cases for a Limited Purpose and to Appoint Lead Counsel.³ In addition, the parties
9 shall identify any outstanding issues to be resolved and propose a schedule as to how these cases
10 should proceed.

11 In light of the scheduled October 18, 2010 Conference, all other conferences are VACATED.

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14 Dated: October 1, 2010



JAMES WARE
United States District Judge

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26 ² (Docket Item No. 75.)

27 ³ (Docket Item No. 78.)

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

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Dated: October 1, 2010

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy