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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PHOTON CONTROL, INC.,	)	Case No.: 10-CV-04221-LHK
	)	
Plaintiff,	)	ORDER CONTINUING MOTION
v.	)	HEARING AND CASE MANAGEMENT
	)	CONFERENCE PURSUANT TO
AZBIL NORTH AMERICA, INC.,	)	PARTIES' STIPULATION
	)	
Defendant.	)	

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Defendant filed a motion to compel arbitration and to dismiss or stay proceedings on October 29, 2010. That motion is currently set to be heard on February 17, 2011, with a Case Management Conference to follow. On December 30, 2010, the parties filed a stipulation to continue the motion hearing and Case Management Conference to March 31, 2011, and to postpone the scheduled briefing deadlines for 30 days. *See* Dkt. #23. The parties state that they have engaged in settlement discussions, and “are currently engaged in further discussions in an attempt to finalize a settlement.”

Because this motion has been pending since October 29, 2010, this Court will not grant the lengthy continuances requested by the parties. However, in light of the parties’ request, the Court issues the following modified schedule. Plaintiff’s Opposition or Statement of Non-opposition is due on or before February 4, 2011, and Defendants’ Reply is due on or before February 11, 2011. The motion hearing and Case Management Conference are continued to Thursday, March 10, 2011 at 1:30 p.m.

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**IT IS SO ORDERED.**

Dated: January 7, 2011

  
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LUCY H. KOH  
United States District Judge