

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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AXION POWER INTERNATIONAL, INC., ET AL.,

Plaintiffs,

07 Civ. 11493 (RWS)

- against -

O R D E R

MERCATUS & PARTNERS, LTD., ET AL.,

Defendants.


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Sweet, D.J.,

Defendant Banca MB S.p.A.'s Motion to Dismiss the Third Amended Complaint will be heard at noon on Wednesday, October 28, 2009, in courtroom 18C. All motion papers shall be served in accordance with Local Civil Rule 6.1.

It is so ordered.

New York, NY
September 29, 2009


ROBERT W. SWEET
U.S.D.J.