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10	Attorneys for Defendants Matthew Katzer and Kamind Associates, Inc.		
2	UNITED STATES DISTRICT COURT		
3	NORTHERN DISTRICT OF CALIFORNIA		
	SAN FRANCISCO DIVISION		
4			
15	ROBERT JACOBSEN, an individual,	Case Number C06-1905-JSW	
6))	
17	Plaintiff,	[proposed] ORDER GRANTING	
8	vs.	DEFENDANTS MATTHEW KATZER AND KAMIND ASSOCIATES INC.'S MOTION TO	
9	MATTHEW KATZER, an individual, and	ASSOCIATES, INC.'S MOTION TO DISMISS COUNTS 1, 2, AND 3 AS	
20	KAMIND ASSOCIATES, INC., an Oregon	MOOT AND GRANTING DEFENDANTS' REQUEST TO	
	corporation dba KAM Industries,	FILE A MOTION FOR	
21	Defendants.	ATTORNEY FEES	
22))	
23))	
24	Defendants Matthew Katzer and KAMINI	O Associates, Inc. to dismiss Counts 1, 2, and 3	
25	of plaintiffs' second amended complaint as moot		
26			
	2008 at 9:00 a.m., Honorable Jeffrey S. White, Federal District Court Judge presiding. Scott		
	Case Number C 06 1905 JSW Defendants' Proposed Order		

Jerger appeared for defendants and moving parties Matthew Katzer and KAMIND Associates, Inc. David M. Zeff appeared for defendant Kevin Russell. Victoria K. Hall appeared for plaintiff Robert Jacobsen. Having reviewed the points and authorities submitted by the parties, and for good cause shown, IT IS ORDERED THAT:

- 1. Defendants' motion to dismiss is *granted* in all respects, without leave to amend.
- 2. The plaintiff's second sur-reply and opposition memorandum and points and authorities are an unauthorized motion for reconsideration of this Court's order granting defendants' special motions to strike (Cal. Civ. Proc. Code § 425.16) and defendants Matthew Katzer and KAMIND Associates, Inc. shall recover reasonable costs and fees incurred in preparing a reply to the second sur-reply and opposition and shall file a motion for attorney fees pursuant to FRCP 54.

Dated:	
	United States District Court Judge

Case Number C 06 1905 JSW Defendants' Proposed Order