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

In re UTSTARCOM, INC. SECURITIES  
LITIGATION

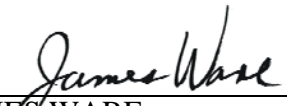
NO. C 04-04908 JW

**ORDER VACATING HEARING ON  
UTSTARCOM DEFENDANTS' AND  
DEFENDANTS SOFTBANK HOLDINGS,  
INC. AND SOFTBANK AMERICA, INC.'S  
MOTIONS TO DISMISS SECOND  
AMENDED CONSOLIDATED  
COMPLAINT**

\_\_\_\_\_  
This Order relates to ALL ACTIONS.  
\_\_\_\_\_ /

The Court deems Defendants' Motions to Dismiss Second Amended Consolidated Complaint appropriate for submission on the papers without oral arguments. See Civ. L.R. 7-1(b). Accordingly, the hearing on October 23, 2006 is vacated.

Dated: October 18, 2006

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

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

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17 **Dated: October 18, 2006**

**Richard W. Wieking, Clerk**

19 **By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**