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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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FRIENDLY CAPITAL PARTNERS, L.P., )  
a California Limited Partnership, )  
Plaintiffs, )

3:07-CV-00250-PMP-VPC

**ORDER**

vs. )

DENNIS MONTGOMERY, BRENDA )  
MONTGOMERY, and the )  
MONTGOMERY FAMILY TRUST, a )  
California trust, et al., )

Defendants, )

\_\_\_\_\_)  
DENNIS MONTGOMERY, BRENDA )  
MONTGOMERY, and the )  
MONTGOMERY FAMILY TRUST, )

Counterclaimants, )

vs. )

FRIENDLY CAPITAL PARTNERS, L.P., )  
a California Limited Partnership; )  
WARREN TREPP, an individual, )  
ETREPPID TECHNOLOGIES, LLC, a )  
Nevada Limited Liability Company, et al., )

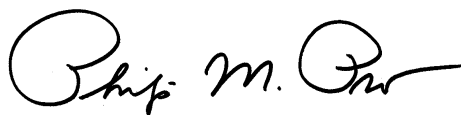
Counterdefendants. )  
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1 IT IS ORDERED that Counterdefendant Warren Trepp's Motion to Dismiss  
2 Counterclaims or, in the Alternative, for a More Definite Statement (**Doc. #21**);  
3 Plaintiff/Counterdefendant's Friendly Capital Partners, L.P.'s Motion to Dismiss  
4 Counterclaims or, in the Alternative, for a More Definite Statement (**Doc. #23**);  
5 Counterdefendant's Etreppid Technologies, LLC's Motion to Dismiss Counterclaims  
6 or, in the Alternative, for a More Definite Statement (**Doc. #25**); Counterdefendants  
7 Friendly Capital Partners, L.P.'s, eTreppid Technologies, LLC's and Warren Trepp's  
8 Motion to Strike Portions of Counterclaim (**Doc. #27**); and Counterdefendant Douglas  
9 J. Frye's Motion to Dismiss Counterclaims or, in the Alternative, for a More Definite  
10 Statement (**Doc. #40**) are DENIED as moot.

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12 DATED: October 25, 2007.



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PHILIP M. PRO  
United States District Judge