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EAGLE BROADBAND, INC.
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(ENDORSED)
FILED
2006 DEC 26 AM 10:42
CHIEF CLERK / CLERK
SUPERIOR COURT OF CA
COUNTY OF SANTA CLARA
BY [Signature] DEPUTY

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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SANTA CLARA

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11 EAGLE BROADBAND, INC.,) CASE NO. 1-05-CV-050179
12 Plaintiff,) ~~(ENDORSED)~~ ORDER GRANTING
13 vs.) PLAINTIFF EAGLE BROADBAND'S
14 DOES 1 through 25, inclusive,) EX PARTE APPLICATION FOR AN
15 Defendants.) ORDER RECALLING AND QUASHING,
16) ~~OR IN THE ALTERNATIVE STAYING,~~
17) THE WRIT OF EXECUTION OBTAINED
18) BY DEFENDANT THOMAS MOULD
19)
20) Date: December 26, 2006
Time: 8:30 a.m.
Dept: 216
Judge: Hon. William J. Elfvig *Kevin McKenney*
Complaint filed: October 5, 2005

21 This matter came for hearing on the date and time listed above, in Department 2 of the
22 above-entitled court. The Court, having considered all papers filed in connection with Plaintiff
23 Eagle Broadband, Inc.'s ("Eagle") Ex Parte Application for an Order Recalling and Quashing, or
24 in the Alternative Staying, the Writ of Execution Obtained by Defendant Thomas Mould, and
25 having heard the arguments of the parties appearing at the hearing, and all other matters
26 presented to the Court, and for good cause appearing,

27 IT IS HEREBY ORDERED that the writ of execution issued by the Clerk of this Court
28 on November 30, 2006 be and is ~~quashed and vacated and is ordered to be returned immediately~~
Stayed to January 5, 2007, at 10:00 a.m.,
pending hearing before Judge Elfvig at 9:00 a.m. in Dept 2.

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be advised that said writ
~~IT IS FURTHER ORDERED that any levying officer that has already levied on any~~
of execution is stayed until January 5, 2007, pending further order of
~~property subject to the writ, such levies are extinguished and such property is released. The~~
the court.
~~levying officer is HEREBY ORDERED to return any and all property subject to the writ to the~~
~~third party that turned such property into the levying officer.~~

Opposition must be filed not later than January 3, 2007, noon
(Chambers Court to Dept 2) Reply by January 4, 2007, noon. email
service between parties.

Dated: December 26, 2006

By [Signature]
JUDGE OF THE SUPERIOR COURT
KEVIN E. MCKENNEY