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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO

15
16 OPEN SOURCE SECURITY, INC., and
BRADLEY SPENGLER,

17 Plaintiffs,

18 v.

19 BRUCE PERENS, and Does 1-50,

20 Defendants.
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Case No. 3:17-cv-04002-LB

**[PROPOSED] ORDER GRANTING
DEFENDANT'S SPECIAL MOTION
TO STRIKE THE FIRST AMENDED
COMPLAINT PURSUANT TO THE
CALIFORNIA ANTI-SLAPP
STATUTE, CODE OF CIVIL
PROCEDURE SECTION 425.16, AND
MOTION TO DISMISS THE FIRST
AMENDED COMPLAINT WITH
PREJUDICE PURSUANT TO FED. R.
CIV. P. 12(b)(6)**

Hearing Date: December 14, 2017
Time: 9:30 a.m.
Location: Courtroom C, 15th Floor
Judge: Hon. Laurel Beeler

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[PROPOSED] ORDER GRANTING
DEFT'S 2ND ANTI-SLAPP MTN &
MTN TO DISMISS FAC
CASE NO. 3:17-CV-04002-LB

[PROPOSED] ORDER

1
2 Defendant Bruce Perens specially moves to strike Plaintiffs' First Amended
3 Complaint under California's anti-SLAPP Statute, California Code of Civil
4 Procedure Section 425.16, and moves to dismiss with prejudice Plaintiffs' First
5 Amended Complaint under Federal Rule of Civil Procedure Section 12(b)(6). On
6 December 14, 2017, the Court held a hearing on the motion, with Chhabra Law
7 Firm, PC appearing for Plaintiffs Open Source Security, Inc. and Bradley Spengler,
8 and with O'Melveny & Myers LLP appearing for Defendant.

9 After considering Defendant's moving papers and attached exhibits,
10 opposing and reply papers, arguments of counsel, and all other materials presented
11 to the Court, and good cause appearing, **IT IS HEREBY ORDERED:**

12 _____ Defendant's motions to strike Plaintiffs' claims pursuant to
13 California's anti-SLAPP statute and to dismiss the First Amended Complaint
14 pursuant to Federal Rule of Civil Procedure Section 12(b)(6) are **GRANTED**.
15 Plaintiffs' First Amended Complaint is hereby dismissed with prejudice.

16 _____ **IT IS HEREBY FURTHER ORDERED** that Defendant is entitled to
17 reimbursement of his reasonable attorneys' fees in bringing his motions and
18 obtaining dismissal of the action, as provided for by California Code of Civil
19 Procedure Section 425.16 and applicable law. Defendants shall submit a motion
20 documenting their reasonable fees within thirty (30) days of the issuance of this
21 order.

22 **IT IS SO ORDERED.**

23 Dated: _____

24
25 The Honorable Laurel Beeler
26 United States Magistrate Judge