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OCT 17 2006

Attorneys for Defendant MasterCard International Incorporated

9 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
10 IN AND FOR THE COUNTY OF MARICOPA

11 BRYAN PERRY,

12 Plaintiff,

13 vs.

14 MASTERCARD INTERNATIONAL,
15 INC., a Delaware corporation,

16 Defendant.

) No. CV2003-007154

) **ORDER DENYING**
) **MASTERCARD'S MOTION TO**
) **COMPEL ARBITRATION AND**
) **STAY LITIGATION AND**
) **MOTION TO RECONSIDER**
) **ORDER DENYING MOTION TO**
) **COMPEL ARBITRATION AND**
) **STAY LITIGATION**

) (Assigned to the Honorable Paul A.
) Katz)

17
18 In accordance with the Court's Minute Order of August 9, 2005, and Under
19 Advisement Ruling of January 19, 2006,

20 **IT IS HEREBY ORDERED:**

21 Denying Defendant MasterCard International Incorporated's Motion to
22 Compel Arbitration and Stay Litigation; and

23 Denying Defendant MasterCard International Incorporated's Motion to
24 Reconsider Order Denying Motion to Compel Arbitration and Stay Litigation.

25 Dated this 13th day of October, 2006.

26 **PAUL A. KATZ**

27 THE HONORABLE PAUL A. KATZ
28 Judge, Maricopa County Superior Court