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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Vickey Sarantis, a single woman,

) No. CV-06-2153-PHX-LOA

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Plaintiff,

) **ORDER**

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vs.

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ADP, Inc., a foreign corporation,

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Defendant.

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This case arises on Defendant's Unopposed Motion to Continue Trial and Request for Expedited Consideration. (docket # 152) The Motion indicates "Plaintiff does not oppose this request." *Id.* at 1. Defendant ADP seeks an expedited order continuing the trial of this case due to Hurricane Ike's adverse impact on him, his Houston employer and building and his family.

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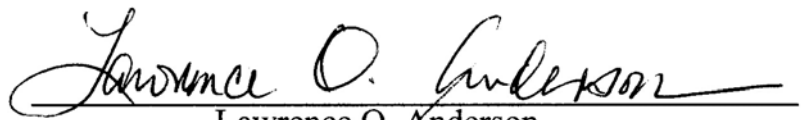
The Court finds that Hurricane Ike and its recent massive destruction of the Houston and Galveston, Texas area constitute extraordinary cause to warrant continuing the trial of this case. Even though Texas defense counsel, Robin Harrison, did not formally appear in this case until approximately three months ago and Phoenix defense counsel are quite capable to try this case, the Court will respect Defendant ADP's desire that Mr. Harrison actively participate in the trial of this case. Unfortunately, there is no availability on the undersigned's calendar to try this case before early January, 2009. The Court will reset the trial of this case for Tuesday, January 6, 2009. The next available date would be

1 February 2, 2009 provided all counsel promptly stipulate in writing to resetting the trial to
2 February 2, 2009. Absent such prompt stipulation, the trial will begin on Tuesday, January
3 6, 2009.

4 There being no objection and extraordinary cause existing,

5 **IT IS ORDERED** that Defendant's Unopposed Motion to Continue Trial and
6 Request for Expedited Consideration, docket # 152, is **GRANTED**. The current trial dates,
7 Monday, September 22, 2008 through Friday, October 3, 2008, are **VACATED** and the trial
8 is hereby reset to **Tuesday, January 6, 2009** through and including Tuesday, **January 20,**
9 **2009**¹ (although ten trial days are reserved, each side shall be entitled to only 3.5 trial days
10 after jury selection and opening statements on the first day.²) All other orders set forth in the
11 Court's June 23, 2008 Order are hereby **AFFIRMED**.

12 DATED this 15th day of September, 2008.

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15 Lawrence O. Anderson
16 United States Magistrate Judge

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27 ¹ Monday, January 19, 2009 is a national holiday celebrating Martin Luther King.

28 ² Only jury selection and opening statements will occur on the first day.