In Re Jankris Vineyards Doc. 32

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

C--- N- CV 00 00076 IV

Case No.	CV 08-083/6 JVS	Date January 20, 2009	
Title	In re Jankris Vineyards: Falvey Cargo Underwriting Ltd. v. Jankris Vineyards		
Present: The Honorable			
	Karla J. Tunis	Not Present	
	Deputy Clerk	Court Reporter	
A	Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
	Not Present	Not Present	
Proceedin	ngs: (In Chambers) Order to S	Show Cause re Failure to File Opposition	

Plaintiff Falvey Cargo Underwriting, Ltd. filed a motion for summary judgment on December 11, 2009. (Docket No. 17.) The hearing on this motion was originally calendared for January 4, 2010 at 1:30 pm, but on December 16, 2009 was continued to February 8, 2010 at 1:30 pm. (Docket No. 30.)

On December 1, 2009, changes to the Federal Rules of Civil Procedure went into effect. Rule 56(c) now provides that:

- (c) Time for a Motion, Response, and Reply; Proceedings.
- (1) These times apply unless a different time is set by local rule or the court orders otherwise:
- (A) a party may move for summary judgment at any time until 30 days after the close of all discovery;
- (B) a party opposing the motion must file a response within 21 days after the motion is served or a responsive pleading is due, whichever is later; and
- (C) the movant may file a reply within 14 days after the response is served.

Fed. R. Civ. P. 56(c). The versions of Local Rules 7.9 and 7.10 that were in effect on December 11, 2009 require the filing of opposing papers not later than fourteen days

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Date January 20, 2009

Case No. CV 08-08376 JVS

	e Jankris Vineyards: vey Cargo Underwriting Ltd. v. Jankris Vineyards	
before the heari	ring date and reply papers not later than seven days before the heari	ing date
which opposing Plaintiff with fo days before the	these rules in conjunction results in January 18, 2010 as the last day papers could be filed by Defendant Jankris Vineyards that would ourteen days to prepare a reply brief that could be filed not later that he hearing date. The filing of an opposition after January 18, 2010 was a violation of Rule 56(c)(1)(C) or Local Rule 7.10.	l provide an sever
	nt has not filed opposing papers or a notice of non-opposition as re 7-16. Counsel for Defendant is ordered to show cause why he faile to Local Rules.	-
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Initials of Preparer kjt