

1 party shall be responsible for the filing with the Clerk of all evidentiary documents
2 cited in the opposing papers. See L.R. 5-133(j). If a need for discovery is asserted as
3 a basis for denial of the motion, the party opposing the motion shall provide a
specification of the particular facts on which discovery is to be had or the issues on
which discovery is necessary.

4 Plaintiff's Statement of Facts in Opposition to Defendant's Motion for Summary
5 Judgment is neither the response required or the concise statement permitted by Rule 56-
6 260(b). Indeed, Plaintiff failed to file any response to Defendants' Statement of Undisputed
7 Material Facts in Support of Defendants' Motion for Summary Judgment.

8 For these reasons:

- 9 1. The hearing on Defendants' motion for summary judgment is continued from
10 Friday, October 9, 2009, to Friday, November 20, 2009, at 9:00 a.m.
- 11 2. Within twenty (20) days of the date of this Order, Plaintiff shall file a response
12 to the Statement of Undisputed Material Facts in Support of Defendants'
13 Motion for Summary Judgment in compliance with Local Rule 56-260(b),
14 including reproducing the itemized facts and admitting those facts that are
15 undisputed and denying those that are disputed. With each denial, Plaintiff
16 must provide a citation to the particular portions of any pleading, affidavit,
17 deposition, interrogatory answer, admission or other document relied upon in
18 support of that denial. If not timely filed and in compliance with Rule 56-
19 260(b), Plaintiff's response will be disregarded for purposes of resolving
20 Defendants' motion for summary judgment.
- 21 3. Within ten (10) days of receiving Plaintiff's response to the statement of
22 undisputed facts, Defendants may file a reply to the response.

23
24 IT IS SO ORDERED.

25 Dated: October 7, 2009

/s/ Dennis L. Beck
26 UNITED STATES MAGISTRATE JUDGE