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8	IN THE UNITED STATES DISTRICT COURT FOR THE	
9	EASTERN DISTRICT OF CALIFORNIA	
10	JODANA GEODGE	1.02 .0.052 D.L.D.
11	JODY K. GEORGE,	1:03cv06052 DLB
12	Plaintiff,)	ORDER CONTINUING
13		HEARING ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
14	vs.	AND DIRECTING PLAINTIFF TO FILE A RESPONSE TO DEFENDANTS'
15	JOHN E. POTTER; and UNITED STATES) POSTAL SERVICE,)	STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF
	Defendants.	DEFENDANTS' MOTION FOR SUMMARY
16	Defendants.	JUDGMENT
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18	Defendants' motion for summary judgment is set for hearing on October 9, 2009.	
19	Plaintiff, proceeding through counsel, filed his opposition to the motion, along with a	
20	Statement of Facts in Opposition to Defendant's Motion for Summary Judgment. However,	
21	Plaintiff's opposition does not comply with the requirements of Rule 56-260(b), Local Rules	
22	of Practice. Rule 56-260(b) provides:	
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24	(b) Opposition. Any party opposing a motion for summary judgment or summary adjudication shall reproduce the itemized facts in the Statement of Undisputed Facts	
25	and admit those facts that are undisputed and deny those that are disputed, including with each denial a citation to the particular portions of any pleading, affidavit, deposition, interrogatory answer, admission or other document relied upon in support of that denial. The opposing party may also file a concise "Statement of Disputed"	
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27	Facts," and the source thereof in the record, of all additional material facts as to which there is a genuine issue precluding summary judgment or adjudication. The opposing	
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party shall be responsible for the filing with the Clerk of all evidentiary documents cited in the opposing papers. See L.R. 5-133(j). If a need for discovery is asserted as 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.

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

For these reasons:

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

IT IS SO ORDERED.

Dated: October 7, 2009 /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE