



1 of your case, the party who asked for summary judgment is entitled to judgment as a matter  
2 of law, which will end your case.

3 When a party you are suing makes a motion for summary judgment that is properly  
4 supported by declarations (or other sworn testimony), you cannot simply rely on what your  
5 complaint says. Instead, you must set out specific facts in declarations, depositions, answers  
6 to interrogatories, or authenticated documents, as provided in Rule 56(e), that contradict the  
7 facts shown in the Defendants' declarations and documents and show that there is a genuine  
8 issue of material fact for trial. If you do not submit your own evidence in opposition,  
9 summary judgment, if appropriate, may be entered against you. If summary judgment is  
10 granted, your case will be dismissed and there will be no trial.

11 Rule 260(b) of the Local Rules also requires that you include with your response to  
12 the Motion for Summary Judgment a reproduction of Defendants' Statement of Undisputed  
13 Facts in which you admit facts that are undisputed and deny those that are in dispute. The  
14 Rule requires that for any fact you deny you include a citation to a pleading, affidavit,  
15 deposition, interrogatory answer, admission or other document that supports your denial. If  
16 you wish, you may also file a separate Statement of Disputed Facts that contains any  
17 additional facts in dispute with citations to the record (e.g. the documents such as affidavits  
18 and depositions that are listed above).

19 You must timely respond to all motions. You have 30 days from the issuance of this  
20 order to file your Opposition, which means you must respond by January 1, 2011.

21 Accordingly,

22 **IT IS ORDERED** that Plaintiff must file a response to Defendants' Motion for  
23 Summary Judgment, including a document admitting or denying the facts presented in  
24 Defendants' Statement of Undisputed Facts together with supporting affidavits or other  
25 appropriate exhibits, no later than January 1, 2011.

26 **IT IS FURTHER ORDERED** that Defendants may file a reply within 14 days after  
27 service of Plaintiff's response.

28 **IT IS FURTHER ORDERED** that the Motion for Summary Judgment will be

1 deemed ready for decision without oral argument on the day following the date set for filing  
2 a reply unless otherwise ordered by the Court.

3 DATED this 2<sup>nd</sup> day of December, 2010.

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 Stephen M. McNamee  
7 United States District Judge  
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