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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**ZANE HARDIN,**  
  
**Plaintiff,**  
  
**v.**  
**WAL-MART STORES, INC.; and DOES**  
**1-100,**  
  
**Defendants.**

**CIV-F-08-0617 AWI GSA**  
  
**ORDER DENYING WAL-MART'S  
REQUEST TO RESET HEARING**

Defendant Wal-Mart Stores has filed a request to reset a hearing in order to allow for fourteen days to formulate a reply. Doc. 84. Wal-Mart cites to Fed. R. Civ. Proc. 56(c)[(1)](C) which states “the movant may file a reply within 14 days after the response is served” while ignoring Fed. R. Civ. Proc. 56(c)(1) which includes the preface, “These times apply unless a different time is set by local rule or the court orders otherwise.” Local Rule 230 is entitled “Civil Motion Calendar and Procedure.” It requires oppositions to be filed no less than fourteen days before the hearing and replies no less than seven days before the hearing. L.R. 230(c) and (d). In the Eastern District of California, a moving party is generally given only seven days to file a reply. In this matter, the hearing is scheduled for September 20, 2010. Thus, opposition was due September 6, 2010 and the reply is due September 13, 2010. Plaintiff filed the last attachment to his opposition at 00:39 AM on September 7, 2010.

Wal-Mart’s request to reset the hearing date is DENIED. To allow Wal-Mart adequate

1 time to file a reply, the deadline is extended until 12:00 PM (noon) on September 14, 2010.

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4 IT IS SO ORDERED.

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Dated: September 8, 2010

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CHIEF UNITED STATES DISTRICT JUDGE

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