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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER PERKINS, et al.,

CASE NO. CV F 08-0687 LJO SMS

Plaintiffs,

**ORDER TO VACATE HEARING AND TO  
SET BRIEFING SCHEDULE**

vs.

MARYLAND CASUALTY  
COMPANY, et al,

Defendants.

On February 18, 2009, defendant filed and served its summary judgment/adjudication papers and set a March 18, 2009 hearing. Defendant failed to comply with Local Rule 78-230(b) to provide sufficient notice for the hearing. As such, this Court:

1. VACATES the March 18, 2009 hearing;
2. ORDERS plaintiffs, no later than March 9, 2009, to file and serve opposition papers;
3. ORDERS defendant, no later than March 16, 2009, to file and serve reply papers; and
4. ORDERS the parties, no later than a day after filing and service of their papers, to submit courtesy copies to this Court.

This Court's practice is to determine motions without oral argument. If this Court needs oral argument, it will set a hearing by a separate order. This Court will issue a written ruling as time permits.

Due to this Court's extremely heavy caseload, the parties are urged to consider the conduct of all further proceedings, including determination of defendant's summary judgment/adjudication motion,

1 by a United States Magistrate Judge, whose caseload is not as heavy as this Court's caseload.

2 This Court ADMONISHES the parties and their counsel that they must follow all rules  
3 applicable to this action, including the Federal Rules of Civil Procedure, Local Rules and this Court's  
4 Standing Order. This Court will not tolerate failure to comply with such rules and this Court's orders.

5 IT IS SO ORDERED.

6 **Dated: February 19, 2009**

**/s/ Lawrence J. O'Neill**  
**UNITED STATES DISTRICT JUDGE**

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