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

11 CHRISTOPHER PERKINS, et al., CASE NO. CV F 08-0687 LJO SMS  
12 Plaintiffs,  
13 vs. **ORDER TO VACATE HEARING  
SET BRIEFING SCHEDULE**

14 MARYLAND CASUALTY  
COMPANY, et al,

## Defendants.

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

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

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

27 Due to this Court's extremely heavy caseload, the parties are urged to consider the conduct of  
28 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**

7 **UNITED STATES DISTRICT JUDGE**

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