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

JONATHAN SORRELL,)	1:09-CV-1465 AWI GSA
)	
Plaintiff,)	
v.)	ORDER VACATING AUGUST
)	22, 2011, HEARING AND
KEL-TEC CNC INDUSTRIES, INC,)	RESETTING MATTER FOR
)	SEPTEMBER 6, 2011
Defendant.)	

Defendant Kel-Tec CNC Industries filed a motion for summary judgment on July 25, 2011. Hearing on this motion is currently set for August 22, 2011. On August 8, 2011, Plaintiff Jonathan Sorrell filed an opposition. The opposition is a declaration from Plaintiff’s attorney. Plaintiff’s attorney explains that on July 28, 2011, Plaintiff took the telephonic deposition of Defendant’s expert.¹ Plaintiff’s counsel further explains that he will have the transcript of the defense expert’s deposition on August 12, 2011. Plaintiff’s counsel indicates that the transcript is necessary for him to successfully resist summary judgment. Plaintiff’s counsel requests that the Court move the hearing date on this motion by 15 to 30 days. The Court’s schedule for August 22 and August 29 is heavy, and, prior to receiving Plaintiff’s request, the Court was considering moving the hearing on this motion. Given the Court’s schedule and the request by Plaintiff’s counsel, the Court will move the hearing date in this matter.

¹Expert discovery closed on July 29, 2011. See Court’s Docket Doc. No. 30.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The August 22, 2011, hearing date is VACATED;
- 3 2. Hearing on Defendant's motion for summary judgment is RESET to September 6, 2011;
- 4 3. Plaintiff's Opposition is due on or by August 23, 2011; and
- 5 4. Defendant's Reply is due on or by August 30, 2011.

6

7 IT IS SO ORDERED.

8 Dated: August 9, 2011


CHIEF UNITED STATES DISTRICT JUDGE