

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROSARIO ALONSO,

CASE NO. 1:11-cv-01693-SAB

Plaintiff,

ORDER DIRECTING DEFENDANT TO FILE
A NEW NOTICE OF MOTION

v.

BLACKSTONE FINANCIAL
GROUP LLC,
et al.,

(ECF No. 23)

Defendants.

On January 22, 2013, Plaintiff filed a motion to amend the complaint with a hearing set for February 20, 2013. (ECF No. 22.) On January 6, 2013, Defendant filed an opposition to the motion to amend the complaint, and a motion to continue the trial date. (ECF Nos. 23, 24.) Defendant set the motion to continue the trial date for February 20, 2013, which fails to comply with the time requirements set by Local Rule 230(b).

The hearing on a motion is to be set not less than 28 days after service and filing of the motion. Defendant's motion for a continuance of the trial date is unrelated to Plaintiff's motion to amend the complaint, and Defendant is required to give proper notice and an opportunity for Plaintiff to respond.

Accordingly, Defendant shall either 1) file a stipulation by the parties to hold the hearing on shortened time or 2) set a hearing date allowing proper notice for the motion on a Wednesday at 9:30

1 a.m.¹ Defendant shall file and serve a new notice of motion for the hearing on the motion to
2 continue the trial date. The parties are encouraged to communicate over the setting of the motions.
3 In this instance, the Court is amenable to hearing the motion on a shortened schedule should the
4 parties be willing to stipulate to the hearing date and have both matters heard on the same date.

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6 IT IS SO ORDERED.

7 **Dated: February 7, 2013**

/s/ Stanley A. Boone
UNITED STATES MAGISTRATE JUDGE

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¹Defendant is advised that the Court shall be unavailable on March 20, 2012, and March 27, 2012.