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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 **MANDAY MARIE FIRAT,**
11 **Plaintiff,**

12 **v.**

13 **ATC ASSESSMENT COECTION**
14 **GROUP,**
15 **Defendants,**

CASE NO. 1:13-CV-1937 AWI GSA

ORDER GRANTING DEFENDANT'S
MOTION TO CONTINUE

ORDER SETTING A BRIEFING
SECHULE FOR FURTHER BRIEFING

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18 Defendant has filed a motion for summary judgment, and Defendant's motion had been set
19 for hearing on February 3, 2014. On January 27, 2014, Defendant filed an ex parte application to
20 continue the summary judgment motion's hearing date until February 24, 2014. Plaintiff opposed
21 this continuance. The Court took the pending motion to continue under submission.

22 The Court has reviewed the parties' briefs. The delay Defendant seeks is limited. Given
23 the undersigned's pending case load,¹ a ruling on the summary judgment motion will not be
24 immediate and some delay is inevitable. Thus, the Court will grant Defendant's motion.

25 ¹ Out of fairness, the Court believes it is necessary to forewarn litigants that the Fresno Division of the Eastern
26 District of California now has the heaviest District Judge caseload in the entire nation. While the Court will use its
27 best efforts to resolve this case and all other civil cases in a timely manner, the parties are admonished that not all of
the parties' needs and expectations may be met as expeditiously as desired. The law requires the Court give criminal
cases priority over civil trials and other matters.

28 The parties are reminded of the availability of a United States Magistrate Judge to conduct all proceedings in this
action. A United States Magistrate Judge is available to conduct trials, including entry of final judgment, pursuant to
28 U.S.C. § 28 U.S.C. 636(c), Federal Rule of Civil Procedure 73, and Local Rule 305.

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The Court ORDERS that:

1. Defendant's motion to continue the motion for summary judgment is GRANTED;
2. The motion for summary judgment SHALL BE HEARD on March 3, 2014;
3. Plaintiffs' opposition to the motion for summary judgment SHALL BE FILED by February 18, 2014;
4. Any reply may be filed by February 24, 2014.

IT IS SO ORDERED.

Dated: February 4, 2014



SENIOR DISTRICT JUDGE