

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10

11 TRAVELERS PROPERTY CASUALTY
12 COMPANY OF AMERICA, et al.,

13 Plaintiffs,

14 v.

15 CENTEX HOMES, et al.,

16 Defendants.
17

Case No. 1:14-cv-01388-MCE-SAB

ORDER

18 On October 10, 2014, Defendants in this action filed a motion to dismiss. (ECF No. 8.)
19 The hearing on the motion to dismiss was originally set before District Judge Lawrence J.
20 O'Neill on November 10, 2014. On October 14, 2014, this action was assigned to District Judge
21 Morrison C. England, Jr. and the hearing on the motion to dismiss was rescheduled for
22 November 13, 2014. (ECF No. 14.)

23 On October 30, 2014, the motion to dismiss was referred to Magistrate Judge Stanley A.
24 Boone and the November 13, 2014 hearing was vacated. (ECF No. 20.) On October 31, 2014, a
25 hearing on the motion to dismiss was scheduled for November 12, 2014 before Magistrate Judge
26 Stanley A. Boone. (ECF No. 21.)

27 Since the briefing schedule for motions is based upon the hearing date and the hearing
28 dates were vacated and rescheduled, the resetting of the hearing date inadvertently created

1 confusion regarding the briefing schedule for the motion to dismiss. Due to this confusion, the
2 Court will regard the opposition filed by Plaintiffs on November 3, 2014 as timely and will grant
3 Defendants an extension of time to file a reply.

4 Based upon the foregoing, it is HEREBY ORDERED that:

- 5 1. The November 3, 2014 opposition filed by Plaintiffs is deemed timely; and
- 6 2. Defendants' reply, if any, may be filed on or before November 10, 2014.

7
8 IT IS SO ORDERED.

9 Dated: November 4, 2014


UNITED STATES MAGISTRATE JUDGE