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6 **UNITED STATES DISTRICT COURT**  
7 **EASTERN DISTRICT OF CALIFORNIA**  
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9 **SERGIO GALINDO,**  
10 **Plaintiff**

11 **v.**

12 **ABS GLOBAL, INC.,**  
13 **Defendant**  
14

**CASE NO. 1:16-CV-506 AWI JLT**

**ORDER VACATING HEARING AND  
ORDER ON PLAINTIFF'S MOTION  
FOR EXTENSION OF TIME**

(Doc. No. 37)

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16 This is an employment discrimination case. Plaintiff is appearing pro se. Trial in this  
17 matter is set for March 6, 2018, and the pre-trial conference is set for January 10, 2018.

18 On September 29, 2017, Defendants filed a motion for summary judgment. See Doc. No.  
19 35. Hearing on this motion is currently set for November 13, 2017.

20 On November 7, 2017, Plaintiff filed a motion for extension of time. See Doc. No. 37.  
21 Plaintiff states that he would like the hearing on the motion moved to December 13, 2017, and that  
22 a “meet and confer” should occur on November 13, 2017. See id. Plaintiff states that he was out  
23 of the country and did not receive the “paper work” until October 18, 2017. See id. Plaintiff also  
24 states that he would like to “meet and confer before summary judgment” and he feels that both  
25 sides are close to a settlement. See id. Plaintiff has not filed a response to the summary judgment  
26 motion.

27 Considering Plaintiff's pro se status and the fact that he did not receive the moving papers  
28 until nearly three weeks after the papers were filed, the Court will grant Plaintiff additional time

1 and vacate the November 13, 2017 hearing date. The Court will set a briefing schedule for a new  
2 opposition and reply. If, after reviewing all moving papers, the Court determines that a hearing is  
3 necessary, it will set a hearing date at that time. Otherwise, the motion will be decided on the  
4 papers and without oral argument.

5 With respect to Plaintiff's request to meet and confer, it is unknown what Plaintiff means  
6 by this. As a party to the litigation who is representing himself, Plaintiff may contact defense  
7 counsel regarding summary judgment or settlement without the need for Court order or  
8 supervision.

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10 **ORDER**

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The November 13, 2017 hearing date is VACATED;  
13 2. Plaintiff's motion for an extension of time (Doc. No. 37) is GRANTED in part;  
14 3. Plaintiff shall file either an opposition or notice of non-opposition to Defendant's summary  
15 judgment motion on or by November 27, 2017; and  
16 4. Defendant shall file a reply to Plaintiff's opposition on or by December 4, 2017.

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18 IT IS SO ORDERED.

19 Dated: November 9, 2017

  
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21 SENIOR DISTRICT JUDGE  
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