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

STEPHEN C. PEHLE,

Plaintiff,

No. 2:06-cv-1889-EFB

vs.

RONALD DAVID DUFOUR;
DUFOUR ENTERPRISES, INC.,

Defendants.

ORDER

_____ /
This action is before the undersigned pursuant to the consent of the parties. *See* 28 U.S.C. § 636(c); E.D. Cal. L.R. 305. On November 28, 2012, plaintiff filed a motion for attorneys' fees and noticed the motion to be heard on January 16, 2013. Dckt. Nos. 101, 103.

Local Rule 293 provides that motions for attorneys' fees are governed by Local Rule 230 for notice, opposition, reply, and decision. E.D. Cal. L.R. 293(a). Local Rule 230(c) provides that opposition to the granting of a motion, or a statement of non-opposition thereto, must be served upon the moving party, and filed with this court, no later than fourteen days preceding the noticed hearing date or, in this instance, by January 2, 2013. Nonetheless, defendants did not file their affidavits in opposition to the motion until January 5, 2013, after plaintiff filed a reply indicating that no opposition was timely filed. Dckt. Nos. 105, 106; *see also* Dckt. No. 104. In light of those late-filed affidavits, plaintiff will be provided additional time to file a further reply brief and the hearing on the motion will be continued.

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Accordingly, IT IS HEREBY ORDERED that:

1. The hearing on plaintiff's motion for attorneys' fees, Dckt. Nos. 101, 103, is continued to January 30, 2013 at 10:00 a.m. in Courtroom No. 8.
2. On or before January 16, 2013, plaintiff may file a reply to defendants' affidavits in opposition to the motion for attorneys' fees.

SO ORDERED.

DATED: January 7, 2013.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE