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

DIMAS O'CAMPO,

Plaintiff,

No. CIV S-08-1624 FCD DAD PS

vs.

RAGHBIR SINGH GHOMAN
dba QUIK SHOP 2; GHOMAN'S
PROPERTIES, LLC.,

ORDER

Defendants.

_____ /

Pursuant to the Scheduling Order filed by the undersigned in this case on February 8, 2010, this matter is set for Final Pretrial Conference before the undersigned on January 21, 2011, and for Jury Trial before the assigned district judge on March 29, 2011. Neither plaintiff nor defendant Ghoman¹ have filed a pretrial statement. Plaintiff has now filed a motion to amend his complaint and an ex parte motion to continue the Final Pretrial Conference and Jury Trial dates.

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¹ On April 5, 2010, plaintiff requested entry of default as to defendant Ghoman's Properties, LLC. The Clerk's entry of default as to this defendant was filed on April 6, 2010 (Doc. No. 17).

1 The Scheduling Order provides that no further amendments to pleadings are
2 permitted without leave of court, good cause having been shown. In light of the fact that
3 plaintiff's motion to amend is grounded on a recent en banc decision of the Ninth Circuit Court
4 of Appeals, the court will permit plaintiff to proceed with a motion to amend. However,
5 pursuant to Local Rules 230(k) and 302(c)(21), all pretrial motions must be noticed for hearing
6 before the assigned magistrate judge in this case. By this order, the hearing will be re-set before
7 the undersigned.

8 Plaintiff's ex parte motion to continue dates will be granted in part. The dates for
9 Final Pretrial Conference and Jury Trial will be vacated pending resolution of plaintiff's motion
10 to amend.

11 Accordingly, IT IS HEREBY ORDERED that:

12 1. Plaintiff's motion to amend (Doc. No. 19) is re-set for hearing before the
13 undersigned on February 25, 2011, at 10:00 a.m. in Courtroom 27, and the hearing noticed before
14 the assigned district judge on the same date and time in Courtroom 2 is vacated.

15 2. Plaintiff's ex parte motion to continue dates (Doc. No. 20) is granted in part,
16 and the Final Pretrial Conference set for January 21, 2011, at 1:30 p.m. before the undersigned
17 and the Jury Trial set for March 29, 2011, at 9:00 a.m. before the assigned district judge are
18 vacated.

19 DATED: January 20, 2011.

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23 DALE A. DROZD
24 UNITED STATES MAGISTRATE JUDGE

23 DAD:kw
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