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

The Newark Group, Inc.	)	
	)	02:08-cv-02623-GEB-DAD
Plaintiff,	)	
	)	<u>ORDER</u>
v.	)	
	)	
Dopaco, Inc.,	)	
	)	
	)	
Defendant.	)	
_____	)	

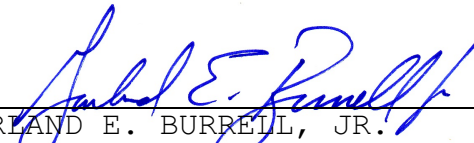
Plaintiff filed an ex parte motion for a two-week continuance of the hearing on Defendant's partial summary judgment motion noticed for hearing on June 7, 2010. In reviewing Plaintiff's filing, it came to the Court's attention that Defendant has filed an expert discovery related motion which is scheduled for hearing after the expert discovery completion date. Further, Plaintiff's ex parte motion contains information indicating that the parties are not attentive to the expert discovery completion date prescribed in the scheduling order, since they are engaged in discovery and discovery disputes at the risk of non-compliance with that date. To avoid both this risk and investing more time considering Plaintiff's ex parte hearing date continuance motion, the June 7, 2010 hearing on Defendant's partial summary judgment motion is vacated, with the understanding that it can be re-noticed for hearing after expert

1 witness discovery disputes are resolved, but no later than the last  
2 hearing date for law and motion matters. The scheduling order is  
3 modified as follows:

- 4 (1) expert discovery shall be completed by July 27, 2010;
- 5 (2) the last hearing date for motions is September 27, 2010;
- 6 (3) the final pretrial conference is rescheduled to commence at  
7 1:30 p.m. on November 22, 2010.

8 IT IS SO ORDERED.

9 Dated: May 12, 2010

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13 GARLAND E. BURRELL, JR.  
14 United States District Judge  
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