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

ATPAC, INC.,

Plaintiff,

No. CIV S-10-294 WBS JFM (TEMP)

vs.

APTITUDE SOLUTIONS, INC., et al.,

Defendants.

ORDER

_____ /

Plaintiff has submitted an ex parte application for an order shortening time for hearing on a motion for terminating sanctions due to defendants' alleged failure to comply with discovery orders. Under the revised scheduling order filed October 28, 2010, the discovery cut-off is September 15, 2011. Plaintiff fails to demonstrate why a motion for terminating sanctions must be heard on shortened time.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's ex parte application (docket no. 166) is denied.

2. For purposes of the motion referenced in plaintiff's ex parte application, the parties are relieved of the letter briefing requirement set forth in the court's November 18, 2010 order. (Docket no. 56.) Said motion may be noticed on the undersigned's regular law and motion calendar. The joint statement filed under Local Rule 251 shall be limited to twenty

1 pages, with printing in twelve-point type. This page limit does not include exhibits. The joint
2 statement shall be filed no later than fourteen days prior to the date noticed for hearing on the
3 motion and a courtesy copy of the joint statement and accompanying exhibits shall be submitted
4 to the TEMP chambers.

5 DATED: May 31, 2011.

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8 UNITED STATES MAGISTRATE JUDGE

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