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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
10	EDISON MAYO,	Case No. 2:10-cv-00629-WBS-EFB
11	Plaintiff,	ORDER DENYING MOTION TO CONTINUE TRIAL DATE
12	v.	CONTINUE IRIAL DATE
13	RECYCLE TO CONSERVE, INC.,	
14	Defendant.	
15		
16	The court has considered the application of defendant RECYCLE TO CONSERVE, INC.	
17	("RTC") to continue the trial date in this matter, and plaintiff's opposition to the motion. It is the	
18	responsibility of counsel to manage their respective calendars so as to avoid the kind of conflict	
19	that has apparently occurred here. In that regard, counsel needs to either avoid underestimating	
20	the length of trials or to have alternative plans in the event that the length of a trial is	
21	underestimated. Here, defendant is represented by a large firm with over 31 lawyers. If Ms.	
22	Kennaday is involved in a trial in another court at the time the trial of this case is scheduled to	
23	begin, she will have to make arrangements for another attorney to handle this trial. This case was	
24	set over a year ago for trial to begin on November 1, 2001. The parties and the court have relied	
25	on the assumption that trial would proceed on that date. To continue the trial as requested at this	
26	late date would prejudice not only the plaintiff but the court, which also has a responsibility to	
27	other litigants and the public to effectively manage its calendar.	
28	IT IS THEREFORE ORDERED that defendant's motion to continue the trial date from	

Wilke, Fleury, Hoffelt, Gould & Birney, LLP Attorneys At Law Sacramento

719875.1

ORDER CONTINUING TRIAL DATE 2:10-CV-00629-WBS-EFB

1	November 1, 2011 be, and the same hereby is, DENIED.
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3	DATED: October 11, 2011
4	Milliam Vo Ahube
5	WILLIAM B. SHUBB UNITED STATES DISTRICT JUDGE
6	UNITED STATES DISTRICT JUDGE
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WILKE, FLEURY, HOFFELT, GOULD & BIRNEY, LLP Attorneys at Law	- 2 - 719875.1 DEFENDANT RECYCLE TO CONSERVE, INC.'S REQUEST FOR CONTINUANCE OF TRIAL DATE 2:10-CV-00629-WBS-EFB