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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LACEY MITCHELL,
Plaintiff,
v.
DeBRINA WILLIAMS,
Defendant.

No. 2:10-CV-01829 KJM DAD P

ORDER

Lacey Mitchell (“plaintiff”) moves for a forty-five day continuance of the trial date currently scheduled for April 14, 2014. Mot. for Extension of Time (“Mot.”) at 1–2, ECF No. 84. In his declaration, plaintiff’s counsel attests that he is currently litigating a criminal matter on behalf of another client and is thus unavailable for trial in this matter. Whitworth Decl. ¶¶ 4–5, ECF No. 84-1. DeBrina Williams (“defendant”) opposes the motion on the grounds that she will suffer prejudice from additional absence from her employment, accrual of attorneys’ fees and impediment of expeditious resolution of the matter. Opp’n to Mot. at 2–3, ECF No. 86.

The court requires additional information to make a reasoned decision and orders plaintiff’s counsel to file, no later than noon on April 10, 2014, a supplementary declaration stating: (1) whether plaintiff’s counsel has consulted plaintiff regarding the requested continuance; (2) if so, whether plaintiff is amenable to the continuance; (3) whether

1 plaintiff's counsel will be available for trial beginning May 5, 2014; and (4) if not, the earliest
2 date on which plaintiff's counsel is available for trial in the instant matter.

3 IT IS SO ORDERED.

4 DATED: April 9, 2014.

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8 UNITED STATES DISTRICT JUDGE
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