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

ARIEL BALTHROPE,

Plaintiff,

No. 2: 10-cv-3003 KJM JFM (PS)

vs.

SACRAMENTO COUNTY OF  
HEALTH AND HUMAN SERVICES,  
et al.,

Defendants.

ORDER

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On October 25, 2012, defendants filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 which included a motion hearing date of November 29, 2012. On November 21, 2012, plaintiff filed an opposition to the motion for summary judgment which was not entered on the docket until November 26, 2012. (See Dkt. No. 110.)

Plaintiff's opposition to the motion for summary judgment was filed less than fourteen days preceding the noticed hearing date (and docketed less than seven days before the hearing date). Based on these circumstances, the court will give defendants additional time to file a reply to the motion for summary judgment.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Defendants shall have until December 5, 2012 in which to file a reply to the

1 plaintiff's opposition to the motion for summary judgment; and

2           2. The summary judgment motion hearing date noticed for November 29, 2012 is  
3 VACATED and the motion for summary judgment will be deemed submitted upon the record  
4 and briefs on file upon the filing of defendant's reply to the motion for summary judgment or on  
5 December 5, 2012 if defendants elect not to file a reply subject to the power of the court to  
6 reopen the matter for further briefs or oral argument or both. (See L.R. 230(g).)

7 DATED: November 27, 2012.

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11 UNITED STATES MAGISTRATE JUDGE

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