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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID FLEMMER,  
  
  Plaintiff,  
  
  v.  
  
ZENAIDA O. NEWELL, et al.,  
  
  Defendants.

No. 2:14-cv-00021-KJM-DAD

STATUS (PRETRIAL SCHEDULING)  
ORDER

A status conference was held in this case on October 1, 2015 . J. Luke Hendrix, Esq., appeared for plaintiff; Thomas Phinney, Esq., appeared for defendant and James Brunell, Esq., appeared for third-party defendant.

Having reviewed the parties’ Joint Status Report filed on September 23, 2015, and discussed a schedule for the case with counsel at the hearing, the court makes the following orders:

The plaintiff and defendant agree to stipulate to dismissal of plaintiff’s usury claim. The court is signing the parties’ stipulation to this effect, submitted since hearing.

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1           The motion to dismiss the claim of defendant, as third-party plaintiff, against the  
2 third-party defendants shall be heard no later than November 20, 2015.<sup>1</sup> The parties may obtain  
3 available hearing dates by checking Judge Mueller's page on the court's website.

4           Local Rule 230 governs the calendaring and procedures of civil motions; the  
5 following provisions also apply:

6           (a)     The opposition and reply must be filed by 4:00 p.m. on the day due; and

7           (b)     When the last day for filing an opposition brief falls on a legal holiday, the  
8 opposition brief shall be filed on the last court day immediately preceding the legal holiday.

9 Failure to comply with Local Rule 230(c), as modified by this order, may be deemed consent to  
10 the motion and the court may dispose of the motion summarily. *Brydges v. Lewis*, 18 F.3d 651,  
11 652-53 (9th Cir. 1994).

12           The court places a page limit of twenty (20) pages on all moving papers, twenty  
13 (20) pages on oppositions, and ten (10) pages for replies. All requests for page limit increases  
14 must be made in writing at least fourteen (14) days prior to the filing of the motion.

15           IT IS SO ORDERED.

16 DATED: October 16, 2015.

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20 UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Note that this date may not correspond to a law and motion calendar date.