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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

E. DRAKE,

 Plaintiff,

 v.

THE NIELLO COMPANY, NIELLO
IMPORTS OF ROCKLIN, INC., NIELLO
PERFORMANCE MOTORS INC.,
NIELLO MOTOR CAR COMPANY,
AND SHIPPING EXPERTS INC.,

 Defendants.

No. 2:17-cv-1036-JAM-EFB PS

ORDER

Plaintiff has filed a motion to stay this case (ECF No. 95), a motion to continue the August 9 hearing on defendants’ motion for judgment on the pleadings (ECF No. 96), and a motion to transfer venue (ECF No. 97). In the first two motions, plaintiff essentially seeks additional time to file an opposition to defendants’ motion and his response to the court’s June 20, 2017 order to show cause. In support of his request, plaintiff submits a physician note indicating that he is scheduled to undergo surgery this month and will require multiple months to fully recover.¹

¹ Plaintiff’s pleading states that the physician’s note is to be “Filed Under Seal.” ECF No. 95 at 8. Plaintiff, however, failed to file a proper request to seal in compliance with Local Rule 141.

1 In light of the letter from plaintiff's physician, plaintiff's request for an extension of time
2 (ECF No. 96) is granted in part, and he shall file an opposition or statement of non-opposition to
3 defendants' motion and his response the order to show cause by no later than August 28, 2017.
4 His request to stay the case (ECF No. 95) is denied.

5 As for plaintiff's motion to transfer venue, he failed to properly notice the motion for
6 hearing in violation of Local Rule 230(b). Defendants are directed to file an opposition or
7 statement of non-opposition to plaintiff's motion by July 21, 2017. Plaintiff may file a reply by
8 August 28, 2017.

9 Accordingly, it is hereby ORDERED that:

10 1. The August 9, 2017 hearing on defendants' motion for judgment on the pleadings
11 (ECF No. 83) is vacated;

12 2. Plaintiff's motion for an extension of time (ECF No. 96) is granted in part, and he shall
13 file an opposition or statement of non-opposition to defendants' motion and a response the court's
14 June 20, 2016 order to show cause by no later than August 30, 2017.

15 3. Defendants may file a reply to plaintiff's opposition, if any, on or before September 4,
16 2017.

17 4. Defendants shall file an opposition or statement of non-opposition to plaintiff's motion
18 to transfer venue no later than August 9, 2017.

19 5. Plaintiff may file a reply to defendants' opposition, if any, on or before August 30,
20 2017.

21 6. Thereafter, both defendants' motion for judgment on the pleadings and plaintiff's
22 motion to transfer venue will stand submitted for decision.

23 DATED: July 24, 2017.

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25 EDMUND F. BRENNAN
26 UNITED STATES MAGISTRATE JUDGE
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