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 21 MARTHA BERNDT, et al.

22 **UNITED STATES DISTRICT COURT**
 23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

<p>24 MARTHA BERNDT, MARTA HASTINGS, 25 JUDY LONGO, LINDA SCOTT, SOPHIA 26 CURRY, SHELLY ADCOCK, PATRICIA 27 MOREIRA and KAREN CURRIE, 28 INDIVIDUALLY AND ON BEHALF OF ALL PERSONS SIMILARLY SITUATED,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>CALIFORNIA DEPARTMENT OF CORRECTIONS, TERESA SCHWARTZ , JOSEPH McGRATH, DAVID SKERIK, MARIO ORTIZ, and DWIGHT WINSLOW, in their individual capacities,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. C-03-3174 VRW (BZ)</p> <p>MOTION FOR ADMINISTRATIVE RELIEF TO CONTINUE HEARING AND (PROPOSED) ORDER</p>
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2 **MOTION**

3 **TO THE COURT AND ALL PARTIES OF RECORD:**

4 Pursuant to Local Rules 7-11 and, Plaintiffs Martha Berndt, et al., by and through their
5 counsel, respectfully moves to continue the Evidentiary Hearing currently set for December 2,
6 2010 at 2:00 p.m. to December 3, 2010 at 2:00 p.m. for the reasons set forth in the accompanying
7 Declaration of John L. Burris.

8 Counsel for Martha Berndt, et al. attempted to gain consent from Defendants State of
9 California, et al., by and through their respective counsel, to continue the date, however, the
10 Defendants will only agree to the date of December 3, 2010, as their availability is very limited
11 due to their current calendar.

12 This motion affects no other dates listed in the Court's Order Regarding Evidentiary
13 Hearing filed on September 29, 2010.

14 **Respectfully submitted,**

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16 Dated: October 21, 2010

THE LAW OFFICES OF JOHN L. BURRIS

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18 */s/ John L. Burris* _____

19 John L. Burris, Esq.
20 Attorney for Plaintiffs

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~~-(PROPOSED) ORDER~~

GOOD CAUSE APPEARING, the Evidentiary Hearing currently scheduled for
December 2, 2010 at 2:00 p.m. is rescheduled to December 3, 2010 at 2:00 p.m.

IT IS SO ORDERED.

Dated: November 1, 2010


HONORABLE BERNARD ZIMMERMAN
UNITED STATES MAGISTRATE JUDGE