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UNITED STATES DISTRICT COURT
Northern District of California

JOHN SAUCER,

Plaintiff(s),

No. C 06-07119 MEJ

v.

OFFICER G. SMIT, ET AL.,

**ORDER RE CONTINUANCE
REQUEST**

Defendant(s).

This matter is currently scheduled for a jury trial beginning December 7, 2009. However, the Court is now in receipt of a letter from Defendants' counsel, Stephen Rowell, requesting a continuance due to recent back surgery that the main officer defendant, Garrett Smit, recently underwent. As Plaintiff's counsel has agreed to a continuance, the Court hereby VACATES the December 7, 2009 trial date. The parties are ORDERED to appear on December 10, 2009 at 10:00 a.m. in Courtroom B for purposes of rescheduling the trial in this matter. The parties should come prepared with their availability up through and including June 2010. Given the undersigned's current calendar, it is unlikely that any trial can take place before April 2010.

IT IS SO ORDERED.

Dated: November 13, 2009



Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California