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

CURTIS PHELPS,

Plaintiff,

No. C 07-01055 JSW

v.

UNITED STATES GENERAL SERVICES  
AGENCY, et al.,

Defendants.

**ORDER SETTING BRIEFING  
SCHEDULE RE MOTION TO  
DISMISS SECOND AMENDED  
COMPLAINT**

This matter is set for a hearing on January 23, 2009 on Defendants motion to dismiss the second amended complaint. The Court **HEREBY ORDERS** that an opposition to the motion shall be filed by no later than November 21, 2008 and a reply brief shall be filed by no later than December 2, 2008.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

**IT IS SO ORDERED.**

Dated: November 7, 2008

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE