

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

CHARLIE EAP,
Plaintiff,

No. C 07-02301 SI
Related case: C 07-3600 SI

v.

**ORDER MODIFYING CASE
MANAGEMENT ORDER**

UNITED STATES OF AMERICA, et al.,
Defendants.

Plaintiffs move to modify the June 10, 2008 Case Management Order because they need additional time to address defendants' alleged spoliation of evidence. The Court GRANTS plaintiffs' motion to modify the schedule. Defendants' dispositive motion is continued to April 17, 2009 at 9:00 a.m., such that the motion must be filed by March 13, 2009, the opposition by March 27, 2009, and the reply by April 3, 2009. All depositions shall be completed by February 20, 2009. If plaintiffs wish to bring a motion regarding the alleged spoliation of evidence, they may make arrangements with Judge Zimmerman to do so. The Court suggests that such motion be heard no later than February 13, 2009, to permit the Court to review, if necessary, Judge Zimmerman's report and recommendations before deciding defendants' dispositive motion.

The Court also notes that defendants have agreed to continue all deadlines for 120 days, subject to numerous conditions. The Court GRANTS defendants' request to file two separate briefs in support of defendants' dispositive motion, and also agrees that the parties should set a mediation date with Judge


///

1 Infante after the dispositive motion has been briefed but before it is heard. All other requests by
2 defendants are DENIED.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: September 2, 2008



SUSAN ILLSTON
United States District Judge