

United States District Court
For the Northern District of California

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

SANTA CRUZ COUNTY, et al.,

Plaintiffs,

No. C 07-02888 JSW

v.

KATHLEEN SEBELIUS,

Defendant.

**ORDER REGARDING TIMING
OF MOTIONS**

The parties dispute whether Defendant’s motion to dismiss or, in the alternative, for summary judgment or Plaintiffs’ motion to compel and augment the record should be heard first. Upon consideration of the parties’ briefing regarding which motion should be adjudicated first, the Court determines that it will adjudicate Defendant’s motion to dismiss or, in the alternative, for summary judgment first. Therefore, the Court authorizes Defendant to re-notice the motion. This order is without prejudice to Plaintiffs demonstrating, in opposition to Defendant’s motion, that a continuance is required pursuant to Federal Rule of Civil Procedure 56(d).

IT IS SO ORDERED.

Dated: April 24, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE