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

GREGORY M. JORDAN,

No. C 07-04496 SI

Plaintiff,

**ORDER RE: PLAINTIFF'S MOTION FOR  
ADMINISTRATIVE RELIEF  
[Docket No. 138]**

v.

PAUL FINANCIAL, LLC, *et al.*

Defendants.

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Plaintiff has filed a motion [Docket No. 138] seeking to vacate the hearing on defendants' motion for summary judgment, which is currently set for February 13. Plaintiff argues that defendants' motion is premature as the parties have not yet engaged in merits discovery.

Plaintiff may file a motion pursuant to Federal Rule of Civil Procedure 56(f) describing what discovery related to his *individual* claim he seeks to conduct in order to oppose defendants' summary judgment motion. Plaintiff must file his Rule 56(f) motion by **January 26, 2009**. Defendants' opposition, if any, must be filed by **February 2, 2009**. The February 13 hearing on defendants' motion for summary judgment is VACATED. The Court will reset the briefing schedule on defendants' motion for summary judgment after ruling on plaintiff's Rule 56(f) motion.

**IT IS SO ORDERED.**

Dated: 1/15/09



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SUSAN ILLSTON  
United States District Judge