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

BRENT BECKWAY,  
  
Plaintiff,  
  
v.  
  
DEPUTY PAUL DESHONG, et al.,  
  
Defendants.

NO. C07-5072 TEH  
  
ORDER CONTINUING TRIAL  
DATE

The Court is in receipt of the attached letter from Mark A. Jones, lead trial counsel for Defendant Richard Ward, notifying the Court that he may request a continuance of pretrial and trial dates due to a possible conflict with a matter pending in another court. The Court advises Mr. Jones and all counsel that any such request will be DENIED.

Trial and pretrial dates in this matter were set at a case management conference on April 25, 2011. Mr. Jones participated in that conference by telephone. Before setting a trial date, the Court routinely asks counsel to confirm that the date is clear on their calendars. In addition, it is the Court's practice to explain that it does not set tentative trial dates, and that, once set, a trial will be continued only due to extraordinary circumstances. Having a conflict in another court does not constitute such circumstances. If counsel knew of the trial date in the other matter when this case was set for trial, then he should not have indicated his availability to begin trial on that date. If he did not know, and the potential conflict developed only after the Court set this matter for trial, then he should raise the potential conflict with the other court.

To accommodate a request from the jury commissioner, trial in this matter is CONTINUED to **January 18, 2012, at 8:30 AM.** All other pretrial dates and deadlines

United States District Court  
For the Northern District of California

1 remain unchanged. If necessary, Mr. Jones shall designate alternate lead counsel for this  
2 case who can satisfy all deadlines, including attending the pretrial conference as scheduled  
3 and beginning trial on January 18, 2012.

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5 **IT IS SO ORDERED.**

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7 Dated: 11/22/11

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

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