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3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5

6 VIOLET BLUE,

No. C-07-05370 SI (EDL)

7 Plaintiff,

**ORDER DENYING MOTION TO  
SHORTEN TIME**

8 v.

9 ADA MAE JOHNSON,

10 Defendant.  
11 \_\_\_\_\_/

12 On September 14, 2008, Defendant filed a motion to shorten time to hear her motion to  
13 compel specific performance of settlement. Plaintiff opposed that motion on September 18, 2008,  
14 and Judge Illston referred that motion to this Court on September 22, 2008. Defendant's motion to  
15 shorten time is denied. While Defendant claims that she will be prejudiced by the expense involved  
16 in having to attend a further settlement conference on October 3, 2008, the parties agreed to a further  
17 settlement conference at the last case management conference, and Judge Illston ordered that a  
18 settlement conference occur. In addition, Defendant delayed in bringing the motion, as the  
19 breakdown in negotiations about the settlement contingencies occurred in June, and Defendant  
20 threatened to seek specific performance of the settlement on June 10, 2008. See Def. Ex. A. Due to  
21 the Court's October trial schedule, should the case not settle at the upcoming settlement conference,  
22 the motion to compel specific performance of settlement shall be heard on October 31, 2008 at 10:00  
23 a.m. in Courtroom E. Plaintiff shall file her opposition brief no later than October 7, 2008, and  
24 Defendant shall file its reply no later than October 14, 2008.

25 **IT IS SO ORDERED.**

26 Dated: September 23, 2008

*Elizabeth D. Laporte*

27 ELIZABETH D. LAPORTE  
28 United States Magistrate Judge