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

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|-------------------------------|---|------------------------|
| MARK EVAN O'DELL, |) | |
| |) | |
| Plaintiff(s), |) | No. C 08-0756 CRB (PR) |
| |) | |
| vs. |) | ORDER |
| |) | |
| JEFFERY ZWERIN, D.O., et al., |) | |
| |) | |
| Defendant(s). |) | |
| _____ |) | |

Good cause shown, defendants' request for an extension of time to file a motion for summary judgment or other dispositive motion is GRANTED. Defendants shall file a motion for summary judgment or other dispositive motion by no later than April 15, 2011. No further extensions of time will be granted.

Plaintiff shall file an opposition, or notice of non-opposition, within 30 days of receiving a copy of the motion and defendants shall file a reply to any opposition within 15 days thereafter.

Plaintiff is advised that a motion for summary judgment under Rule 56 of the Federal Rules of Civil Procedure will, if granted, end your case. Rule 56 tells you what you must do in order to oppose a motion for summary judgment. Generally, summary judgment must be granted when there is no genuine issue of material fact--that is, if there is no real dispute about any fact that would affect

1 the result of your case, the party who asked for summary judgment is entitled to
2 judgment as a matter of law, which will end your case. When a party you are
3 suing makes a motion for summary judgment that is properly supported by
4 declarations (or other sworn testimony), you cannot simply rely on what your
5 complaint says. Instead, you must set out specific facts in declarations,
6 depositions, answers to interrogatories, or authenticated documents, as provided
7 in Rule 56(e), that contradicts the facts shown in the defendant's declarations and
8 documents and show that there is a genuine issue of material fact for trial. If you
9 do not submit your own evidence in opposition, summary judgment, if
10 appropriate, may be entered against you. If summary judgment is granted, your
11 case will be dismissed and there will be no trial. Rand v. Rowland, 154 F.3d 952,
12 962-63 (9th Cir. 1998) (en banc) (App A).

13 SO ORDERED.

14 DATED: Jan. 19, 2011


15 CHARLES R. BREYER
16 United States District Judge
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