

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

JOHN W BAYLESS,

Plaintiff,

No. C 08-01779 JSW

v.

ILLINOIS UNION INSURANCE CO,

Defendant.

ORDER

On August 27, 2009, this Court issued an Order granting, as modified, a stipulation between Plaintiff and Defendant regarding the briefing schedule on Plaintiff's Motion for Partial Summary Judgment. Pursuant to the parties' stipulation, Defendant's opposition was due on September 23, 2009, and Plaintiff's reply is set to be filed on September 30, 2009.

The Court's modification related solely to the hearing date, which it continued from October 9, 2009 to October 23, 2009, because the parties stipulated dates for submitting the opposition and reply did not comport with the Northern District Civil Local Rules, which require reply briefs to be filed no later than fourteen days before the hearing date.

Defendant did not file an opposition on September 23, 2009. However, the parties indicated in their stipulation that a settlement might render the motion moot. In addition, the Court recognizes that the parties may not have understood that the Court's Order granting the stipulation was intended to modify only the hearing date and not their stipulated briefing schedule.

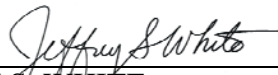
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, the parties shall submit a joint status report to the Court as to whether Plaintiff's motion remains at issue. That status report shall be due by no later than September 29, 2009.

IT IS SO ORDERED.

Dated: September 25, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE