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

MIGUEL CASTANEDA, on behalf of
himself and others similarly situated,

Plaintiff,

v.

BURGER KING CORPORATION and
BURGER KING HOLDINGS, INC.,

Defendants.

No. C 08-04262 WHA

**ORDER RE DEFENDANT'S
MOTION FOR STAY OF
CERTAIN DISCOVERY**

The Court regrets that counsel for the moving party cancelled the hearing on the discovery dispute matter set for January 9, 2009, at 1:30 p.m. It turns out that there is no convenient date in the foreseeable future due to an extremely heavy trial calendar since last November and continuing through June 2009. As a result, this matter will have to be heard when it was originally noticed, namely **FEBRUARY 12, 2009, AT 8:00 A.M.** Due to a clerical error, the telephone notice of January 7 renoticing the hearing for January 12 (at counsel's request) is no longer available. Plaintiff's opposition is due on January 22 and the reply is due January 29. The Court regrets that it is so pressed with other matters and it will give consideration to referring all discovery matters to a magistrate judge.

IT IS SO ORDERED.

Dated: January 8, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE