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United States District Court  
For the Northern District of California

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

KFD ENTERPRISES, INC.,  
Plaintiff,  
v.  
CITY OF EUREKA,  
Defendant.

No. C-08-4571 MMC

**ORDER ADVANCING HEARING;  
GRANTING IN PART AND DENYING IN  
PART CITY OF EUREKA'S MOTION TO  
EXTEND DEADLINE FOR NAMING  
KENNETH DAER AS INDIVIDUAL  
DEFENDANT**

\_\_\_\_\_  
AND RELATED COUNTER AND CROSS  
CLAIMS  
\_\_\_\_\_

Before the Court is Defendant and Third Party Plaintiff City of Eureka's ["City"] Motion for Leave to Extend Deadline for Naming Kenneth Daer as an Individual Defendant, filed February 23, 2010 and noticed for hearing on April 2, 2010, by which motion the City seeks an extension from March 12, 2010 to July or August 2010, in order to depose said defendant and amend, if appropriate, to add him in his individual capacity to the City's third-party complaint. As of March 26, 2010, no opposition had been filed.<sup>1</sup>

<sup>1</sup>In a Joint Case Management Statement filed March 19, 2010, counsel for Daer explained that he had understood the City's motion to have been resolved by the Court's February 26, 2010 order declining to shorten time for the hearing thereon and granting a brief interim extension to April 5, 2010.

