

United States District Court  
For the Northern District of California

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

RICHARD CARDONA,  
Plaintiff,  
v.  
RIEN'S SANDY BEACH, et al.,  
Defendants

No. C-08-5566 MMC

**ORDER DENYING PLAINTIFF'S MOTION  
FOR ORDER SHORTENING TIME TO  
HEAR PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

Before the Court is plaintiff's "Motion for Order Shortening Time to Hear Plaintiff's Motion for Preliminary Injunction," filed January 20, 2009. Defendants have not filed a response thereto.

Having read and considered plaintiff's motion for an order shortening time, the Court finds that plaintiff has failed to show good cause to have his motion for a preliminary injunction heard on shortened time. Plaintiff, for example, fails to show there is any likelihood that trial on the state court eviction action, let alone any determination thereon, will occur prior to February 27, 2009, the date on which plaintiff's motion for a preliminary injunction would be heard on the 35-day schedule provided by the Civil Local Rules of this District. See Civil L.R. 7-2(a).<sup>1</sup>

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<sup>1</sup>In his motion for a preliminary injunction, plaintiff seeks an order enjoining defendants from, inter alia, "further prosecution of the eviction action . . . pending in state court." (See [Proposed] Order Granting Preliminary Injunction at 2:10-12.)

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Accordingly, plaintiff's motion for an order shortening time is hereby DENIED, and plaintiff's motion for a preliminary injunction shall be heard on February 27, 2009.

**IT IS SO ORDERED.**

Dated: January 28, 2009

  
MAXINE M. CHESNEY  
United States District Judge