

1 ****E-filed 10/25/11****

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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION

10 RON E. REYNOLDS,

No. C 09-0301 RS

11 Plaintiff,

12 v.

ORDER RE SCHEDULING

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14 CITY AND COUNTY OF SAN
FRANCISCO, et al.,

15 Defendants.
16 _____/

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18 Defendants seek an extension of the deadline for hearing dispositive motions, in light of lead
19 counsel's impending family leave. Plaintiff is correct that defendant's motion is not properly
20 characterized as one brought under Civil Local Rule 7-11. It is not the case, however, that
21 defendants were required to bring the motion on 35 days notice, absent a separate application for an
22 order shortening time. Rather, because the relief defendants seek is only an enlargement of the time
23 in which they must file any dispositive motions, the motion could properly be brought as a stand-
24 alone motion under Civil Local 6-3. The deadline for oppositions to be filed is identical under
25 Rules 6-3 and 7-11, so plaintiff was not prejudiced by the mislabeling of the motion.

26 As plaintiff points out, however, good cause for the requested extension of time must still be
27 shown. Defendants have not established that an extension of the dispositive motion hearing
28 deadline to April of 2012 is appropriate, although some relief is warranted. Accordingly, it is

1 hereby ordered that the deadline for hearing any dispositive motions is extended to March 8, 2012,
2 with the motions to be filed at least 35 days in advance. To minimize the potential of any prejudice
3 to plaintiff, dispositive motions shall not be set for hearing any earlier than March 1, 2012, and
4 regardless of when such motions may be actually filed, the briefing schedule shall be calculated
5 from the noticed hearing date, with opposition due 21 days in advance, and reply due 14 days in
6 advance. No other dates or deadlines will be altered at this juncture, and the parties should make
7 every effort to complete all pending depositions and any other fact discovery as presently scheduled.

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10 IT IS SO ORDERED.

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12 Dated: 10/25/11

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RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE