

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

SUSAN SIMON, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

ADZILLA, INC., et al.,

Defendants.

No. C-09-0879 MMC

**ORDER RE: STIPULATED REQUEST TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE**

The Court is in receipt of the parties' stipulation, filed August 11, 2009, by which the parties request that the initial Case Management Conference in the above-titled action be continued to a date after September 26, 2009 to "give the parties the opportunity to pursue settlement discussions" and in light of "pending motions to dismiss." (See Stipulation ¶¶ 2-3.) On the showing made, the Court is not persuaded that the initial Case Management Conference should be conducted on a date more than seven months after the filing of the complaint. In particular, the stipulation provides no information as to the nature of the above-referenced "settlement discussions" or the need for an extension of the particular length requested in light of such discussions. Further, the hearing on defendant Core Communications, Inc.'s motion to dismiss was vacated to afford plaintiff the opportunity to seek jurisdictional discovery, and defendant Continental VisiNet Broadband LLC's motion to dismiss, scheduled for hearing on August 28, 2009, is unopposed.

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Accordingly, if the parties wish to pursue their request for a continuance, they shall submit, no later than August 18, 2009, additional information in support thereof.

**IT IS SO ORDERED.**

Dated: August 14, 2009

  
MAXINE M. CHESNEY  
United States District Judge