

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

STANLEY G. HILTON, individually and as a
representative member of a class of plaintiffs
similarly situated,

No. C 09-1191 SI

**ORDER DENYING PLAINTIFF'S
REQUEST FOR 60 DAY CONTINUANCE**

Plaintiff,

v.

WASHINGTON MUTUAL BANK, *et al.*,

Defendants.

On August 25, 2009, plaintiff Stanley Hilton, an attorney who is representing himself in this action, filed a "Notice of Inactive Status" informing the Court that on August 10, 2009, Mr. Hilton was placed on inactive status by the State Bar of California. Plaintiff requests a continuance of all pending matters in this case of at least six months until plaintiff returns to active status. Plaintiff states that he is seeking to find another attorney to represent him, and in the meantime he will appear *pro se*.

The Court DENIES plaintiff's request. The Court has already granted several continuances of various deadlines in this case, and currently defendants' motions to dismiss are scheduled for a hearing on October 30, 2009. There is sufficient time before that hearing for plaintiff to secure replacement counsel if he wishes. Alternatively, plaintiff may represent himself on his individual claims. While plaintiff may not represent a class while he is on inactive status, this case has not reached the class certification stage. If the complaint survives the pending motions to dismiss, the Court will reassess the situation with regard to representation of the proposed class.

IT IS SO ORDERED.

Dated: September 10, 2009



SUSAN ILLSTON
United States District Judge