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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ENCOMPASS HOLDINGS, INC.,)
)
Plaintiff(s),)
)
v.)
)
CAREY F. DALY II, et al.,)
)
)
Defendant(s).)
_____)

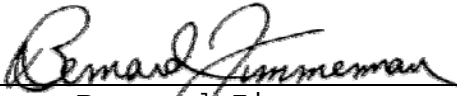
No. C09-1816 BZ

**ORDER RE: DEFENDANTS' JOINT
MOTION TO RE-NOTICE MOTION**

Before the Court is defendants' Joint Re-Notice of Motion and Joint Motion for Summary Judgment, etc. (Docket Nos. 217 and 218). The Court finds Mr. Miller's explanation for why he did not file a joint statement of undisputed facts to be inadequate. However, in view of his assertion in paragraph 4 that the facts are not reasonably subject to dispute, the Court will permit the motion to proceed, subject to it being vacated if Mr. Miller's assertion proves incorrect. The regular briefing schedule applies. Plaintiff's opposition is
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///

1 due by **September 9, 2011**. Defendants' reply, if any, is due
2 by **September 16, 2011**.

3 Dated: August 31, 2011

4 
5 _____
6 Bernard Zimmerman
7 United States Magistrate Judge

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