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

NELIDA CONTRERAS,
Plaintiff,

No. C 09-03176 WHA

v.

**ORDER MODIFYING
BRIEFING SCHEDULE**

JP MORGAN CHASE FKA WASHINGTON
MUTUAL BANK, WASHINGTON MUTUAL
BANK, NOEMI NUNEZ, WAMU
EMPLOYEE NO. 2, GARCIA MARKETING,
LLC, HENRY GARCIA, and FEDERAL
DEPOSIT INSURANCE CORPORATION, A
CORPORATION, RECEIVER FOR
WASHINGTON MUTUAL BANK,

Defendants.

Plaintiff brought this action alleging that in 2006, her former bank, Washington Mutual, issued two checks to Alliance Title Company from her checking account without her authorization. Defendant JPMorgan Chase Bank, N.A., which acquired certain assets and liabilities from Washington Mutual in September 2009, filed a motion to dismiss the claims against it in this action. The motion is scheduled to be heard on October 29, 2009. Pursuant to Civil Local Rule 7-3, any brief in opposition to the motion was due on October 8, 2009, but no such opposition has been received.

Plaintiff was ordered to show cause for her failure to respond to the motion in accordance with Civil Local Rule 7-3(a) and Attorney John F. Mounier, Jr. responded that he


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and his paralegal mis-calendared the opposition to defendants' motion to dismiss because they mistakenly utilized the time requirements of the Superior Court of California.

A new briefing schedule will be set, although no further extensions will be granted barring exceptional circumstances. The hearing on October 29, 2009, is hereby **VACATED**. Plaintiffs' opposition to defendants' motion is due on or before **OCTOBER 22, 2009**. Defendants' reply is due on or before **October 29, 2009**. A hearing will be noticed by the Court if necessary if there is not a decision on the papers first.

IT IS SO ORDERED.

Dated: October 14, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE