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

PASSIVE LLC & DAVID FRANCIS,  
Plaintiff,

No. C 09-3612 CRB

**ORDER**

v.

INTERNAL REVENUE SERVICE,  
Defendant.

The Court is in receipt of Plaintiffs' motion to extend time to file an opposition to the Government's motion to dismiss. The hearing on the Government's motion is currently set for December 4, 2009, at 10:00am. Plaintiff's motion is GRANTED in part and DENIED in part. The hearing on the Government's motion is hereby continued to January 15, 2010. Plaintiffs' opposition will be due to the Court by December 31, 2009. Defendant's reply will be due January 8, 2010. The Case Management Conference currently scheduled for December 4, 2009, is similarly continued until January 15, 2010.

**IT IS SO ORDERED.**

Dated: Nov. 24, 2009



CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE