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28United States District Court
For the Northern District of CaliforniaIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK OTTOVICH, et al.,

No. C 09-4181 MMC

Plaintiffs,

**ORDER VACATING DISPOSITIVE
MOTION DEADLINE, PRETRIAL
CONFERENCE DATE, TRIAL DATE;
CONTINUING STATUS CONFERENCE**

v.

CITY OF FREMONT, et al.,

Defendants.

Before the Court is defendants' "Motion to Continue Dispositive Motion and Trial Dates," filed October 24, 2012. Plaintiff has not filed opposition. Having read and considered the papers submitted in support of the motion, the Court deems the motion appropriate for decision on the moving papers, hereby VACATES the hearing scheduled for December 7, 2012, and rules as follows.

As discussed in the Court's order filed concurrently herewith, plaintiff's deposition has been noticed and scheduled on multiple occasions and, in each instance, the deposition has been cancelled by plaintiff. In support of the instant motion, defendants have submitted a declaration stating their inability to depose plaintiff has precluded them from preparing for trial and filing a motion for summary judgment. (See Helfrich Decl., filed Oct. 24, 2012, ¶ 10.)

Good cause appearing, defendants' motion is hereby GRANTED and the dispositive motion filing deadline currently set for November 30, 2012, the pretrial conference date

1 currently set for February 19, 2013, and the trial date currently set for March 4, 2013 are
2 hereby VACATED. In light of the above, the Status Conference currently set for December
3 14, 2012, is hereby CONTINUED to February 22, 2013.

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5 **IT IS SO ORDERED.**

6 Dated: November 16, 2012

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MAXINE M. CHESNEY
United States District Judge