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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM BOWLER, JR.,

Case No. C-09-5523 JCS

Plaintiffs,

**ORDER FOR JOINT STATEMENT OF
UNDISPUTED FACTS**

v.

HOME DEPOT USA INC.,

Defendant.

Defendant has filed a motion for partial summary judgment, which is set for hearing on January 21, 2011. The Court’s Standing Order on Motions for Summary Judgment provides as follows:

The parties shall file a joint statement of undisputed facts. If the parties are unable to reach complete agreement after meeting and conferring, they shall file a joint statement of the undisputed facts about which they do agree. Separate statements of undisputed facts shall not be filed and will not be considered by the Court.

Civil Standing Orders for Magistrate Judge Joseph C. Spero, Revised 11/03/08, ¶ 17. No joint statement of undisputed facts has been filed in support of the pending summary judgment motion. Instead, Defendant and Plaintiff have filed separate statements. These separate statements will not be considered by the Court.

IT IS HEREBY ORDERED that the parties shall file a joint statement of undisputed facts in compliance with the Court’s Standing Order by Friday, January 7, 2011. The parties are cautioned that any party who objects to a proposed fact without a reasonable basis for doing so may

United States District Court
For the Northern District of California

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be subject to sanctions. Similarly, the Court may deem any proposed fact to which Plaintiff does not respond to be undisputed.

IT IS SO ORDERED.

Dated: January 5, 2011



JOSEPH C. SPERO
United States Magistrate Judge