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

LEKECIA C. MILAM,

Plaintiff,

No. C 09-05902 JSW

v.

ORDER RE MOTION TO STAY

BAYER CORPORATION, et al.,

Defendants.

On January 18, 2010, Defendants filed a Motion to Stay, which they noticed for hearing on February 19, 2010, the same date that Plaintiff’s Motion to Remand is set to be heard. Under Northern District Local Rule 7-2(a), Defendants were required to notice a hearing date “not less than 35 days after service of the motion.” Although the noticed hearing date did not comply with that rule, Plaintiff has not raised an objection to the hearing date, and the Court finds it convenient to hear the motions together.

On February 3, 2010, Plaintiff filed its opposition to the motion to stay. Pursuant to the Local Rules, the opposition was due on January 29, 2010, twenty-one days before the hearing date. See N.D. Civ. L.R. 7-3(a). Because Defendants did not comply with the Local Rules regarding the hearing date, the Court shall excuse Plaintiff’s late filing and shall give Defendants a brief extension of time to file their reply. Accordingly, Defendants’ reply shall be due by no later than Tuesday, February 9, 2010.

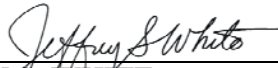
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If the Court finds the matter suitable for disposition without oral argument, it shall notify the parties in advance of the hearing date.

IT IS SO ORDERED.

Dated: February 4, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE