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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN FRANCISCO DIVISION**
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10 GARY ARDEN,

11 Plaintiff,

12 v.

13 FRANK KASTELL, LINARD DAVIS,
14 AIRPORT TRAVEL AGENCY, INC., ALLA
15 SERDYUCHENKO, RON BRIGHAM,
16 SMARTE CARTE, Inc., and Does 1-10,

17 Defendants.
18

Case No. 10-cv-00436 NC

**ORDER RE: NOTICE OF
UNTIMELY FILING**

Re: Docket No. 75

19 Plaintiff Gary Arden has filed a Notice of Untimely Filing of the Declaration of
20 Charles Carreon in Opposition to Defendant's Motion for Summary Judgment (Dkt. No.
21 75). The Court finds that the reasons for the filing delay – length of exhibits and an
22 unknown technical error – are sufficient under Civil General Order 45 to consider timely
23 documents filed the next business day, November 1, 2011. *See* Gen. Order 45(VI)(e).
24 The Court also finds that the late filing, which was completed 12 minutes after the filing
25 deadline, has caused no prejudice.

26 For good cause showing, the Court will take into consideration the Declaration of
27 Charles Carreon and attached Exhibits in support of Plaintiff's Opposition to Defendant's
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Case No. 10-cv-00436 NC
ORDER RE: NOTICE OF
UNTIMELY FILING

1 Motion for Summary Judgment.

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3 IT IS SO ORDERED.
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7 DATED: November 2, 2011



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9 NATHANAEL M. COUSINS
United States Magistrate Judge