

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

ARCHIBALD CUNNINGHAM,

Plaintiff,

v.

JUDGE PATRICK J. MAHONEY, et al.

Defendants.

---

No. C 10-01182 JSW

**ORDER RE BRIEFING  
SCHEDULE ON MOTION TO  
DISMISS**

On April 16, 2010, this Court issued an order setting a briefing schedule on Defendant's Motion to Dismiss, which had been noticed for hearing on June 11, 2010. After the Court issued its Order, Defendants issued a notice continuing the hearing to June 18, 2010. The Court issues this Order to clarify that the continuance of the hearing shall not affect the briefing schedule set by the Court. Plaintiff's opposition to the motion remains due on May 7, 2010, and Defendant's reply brief shall be due on May 14, 2010. If either party seeks to modify this briefing schedule, they must submit a request to the Court demonstrating good cause for any such modification. 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: April 19, 2010

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ARCHIBALD CUNNINGHAM et al,  
Plaintiff,

Case Number: CV10-01182 JSW

**CERTIFICATE OF SERVICE**

v.

PATRICK J. MAHONEY et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 19, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Archibald Cunningham  
1489 McAllister St.  
San Francisco, CA 94115

Dated: April 19, 2010

*Jennifer Ottolini*  
Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk