

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

JEAN ELISE GREER,
Plaintiff,

No. C 10-01704 WHA

v.

LOCKHEED MARTIN CORPORATION
and ESIS, INC.,
Defendants.

**ORDER DENYING AS MOOT
REQUEST FOR EXTENSION OF
TIME TO FILE OPPOSITION
AND DENYING REQUEST TO
CONTINUE HEARING DATE**

Plaintiff Jean Elise Greer has filed a request for an extension of time to file her opposition to defendant's motion for summary judgment. Plaintiff requests this extension in order to complete additional discovery and states that she "anticipates the need to file a motion to compel to obtain relevant evidence withheld by Defendants" (Dkt. No. 83 at 2). Plaintiff also requests that the hearing date be modified due to plaintiff's counsel's unavailability on that date.

This action was filed on March 29, 2010, and was reassigned to the undersigned judge on September 27, 2011. By order dated June 14, 2011, the originally assigned judge extended the discovery cut-off date from June 30, 2011 to October 28, 2011. Upon reassignment, the undersigned judge extended the non-expert discovery cut-off date to December 30, 2011 and set January 26, 2012 as the last day to file dispositive motions (Dkt. No 72). Plaintiff asserts that "substantial harm and prejudice would result if Plaintiff is not allowed to complete discovery and obtain the necessary information to defend against Defendant's motion" (Dkt. No. 83 at 3). Plaintiff has had ample time in which to take discovery and has not filed any discovery dispute

1 letters with the undersigned judge. Regardless, plaintiff has now filed its opposition to the motion
2 for summary judgment. Thus, the request for an extension of time to file the opposition is
3 **DENIED AS MOOT.**

4 Plaintiff has also requested a continuance of the hearing date. Defendant opposes.
5 Plaintiff is represented by three different attorneys from three different law offices. Attorney
6 Lakeisha Poole, one of plaintiff's counsel, has submitted a declaration stating that she is unable to
7 attend the hearing on January 5, 2012, because she is scheduled to defend a deposition that day;
8 she does not indicate if there is a direct conflict of time between the hearing on the motion for
9 summary judgment and her defense of a deposition. Attorney Poole's declaration also states that
10 Attorney Alieu Iscandari and Asha Wilkerson, also plaintiff's counsel in this action, will not be
11 able to attend because Attorney Iscandari has a hearing that morning and Attorney Wilkerson will
12 be defending a deposition.

13 Good cause is not shown to continue the hearing date of January 5, 2011, particularly in
14 light of the fact that plaintiff is represented by three different counsel from three different law
15 offices. At least one of plaintiff's counsel should be able to accommodate the hearing date, of
16 which they have been on notice of since December 1, 2011. The request to continue the hearing
17 date is **DENIED.**

18
19 **IT IS SO ORDERED.**

20
21 Dated: December 19, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

22
23
24
25
26
27
28