UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA MARIA LAFEVER Plaintiff(s), No. C10-01782 BZ v. ACOSTA, INC., a Delaware ORDER RE DEFENDANT'S Closed Corporation, also SUMMARY JUDGMENT MOTION d/b/a ACOSTA TRUEDEMAND, LLC; and also d/b/a ACOSTA MILITARY SALES, LLC; and DOES 1 through 20, inclusive, Defendant(s).

Having received defendant's motion for leave to file a separate statement of undisputed facts in support of its already filed summary judgment motion, IT IS HEREBY ORDERED as follows:

- 1. Defendant's summary judgment motion (Docket No. 41) currently set for April 21, 2011 is **TAKEN OFF CALENDAR** for failure to comply with the section of the Pretrial Scheduling Order dealing with summary judgment motions.
 - 2. The parties shall meet and confer by April 13, 2011

to comply with the Court's scheduling order (Docket No. 30) which requires summary judgment motions to be supported by a statement of undisputed facts, to be prepared jointly where possible.

- 3. Defendant shall re-file its motion for summary judgment by April 18, 2011. Any opposition to defendant's motion shall be filed by April 25, 2011. Any reply shall be filed by May 2, 2011. These filings shall incorporate the joint statement, or the separate statements if necessary, in accordance with the Court's trial scheduling order. The motion will be heard on May 18, 2011 at 10:00 a.m. in Courtroom G, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102.
- 4. The trial is continued from June 20, 2011 to July 18, 2011. The pretrial conference shall be held on June 28, 2011 at 4:00 p.m. All other dates and deadlines from the Court's previously issued scheduling order shall remain the same.
- 5. Defendant's motion for leave to file a separate statement of undisputed facts (Docket No. 65) is **DENIED AS**MOOT.

Dated: April 7, 2011

Bernard Zimmerman

United States Magistrate Judge