

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

BRUCE W. NICKERSON,

Plaintiff,

v.

WELLS FARGO BANK, et al.,

Defendants.

---

No. C-10-01889 EDL

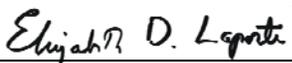
**ORDER GRANTING IN PART MOTION  
FOR CONTINUANCE**

On July 13, 2010, the Wells Fargo Bank Defendants filed a Motion to Dismiss Plaintiff's Class Action Complaint, which was set for hearing on August 31, 2010. On August 6, 2010, Plaintiff Nickerson, who is also co-counsel of record in this case, filed a Motion for Continuance, seeking to continue the hearing on the Motion to Dismiss to October 21 or 28, 2010 because Plaintiff will be out of the country from August 26 through October 4, 2010. See Nickerson Decl. ¶ 2; Ex. A. On August 9, 2010, the Wells Fargo Defendants filed a Response to Plaintiff's Motion for Continuance. Defendants do not oppose a continuance, but they propose an earlier hearing date of October 12, 2010.

Good case appearing, Plaintiff's Motion for Continuance is granted in part. The hearing on the Motion to Dismiss is scheduled for October 12, 2010 at 9:00 a.m. Plaintiff shall file his opposition to the Motion to Dismiss no later than August 25, 2010. Defendant shall file a reply no later than September 8, 2010.

**IT IS SO ORDERED.**

Dated: August 9, 2010

  
\_\_\_\_\_  
ELIZABETH D. LAPORTE  
United States Magistrate Judge