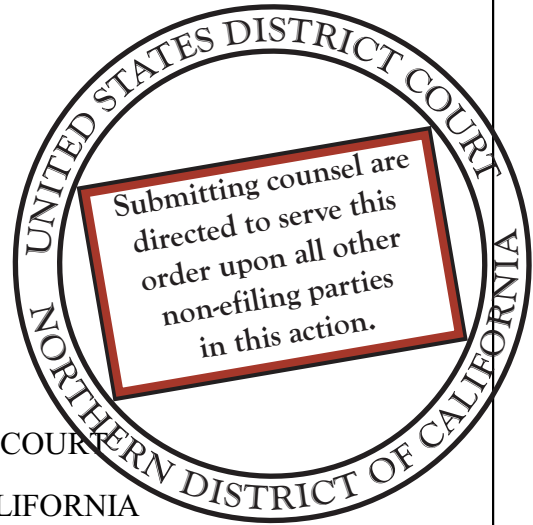


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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 DEDAN SUNNI ALI,	)	No. C 10-2360 SI
	)	
13 Plaintiff,	)	
	)	
14 v.	)	EX PARTE APPLICATION AND
	)	[PROPOSED] ORDER TO CONTINUE
	)	HEARING ON MOTION TO DISMISS
	)	AND EXTEND DATES IN SCHEDULING
	)	ORDERS
15	)	
16	)	
17 U.S. DEPARTMENT OF EDUCATION,	)	
	)	
18 Defendant.	)	

19  
 20 On November 30, 2010, Defendant e-filed its Motion to Dismiss for Lack of Subject Matter  
 21 Jurisdiction and Failure to State a Claim (“Motion to Dismiss”). (Dkt#15.) The Defendant  
 22 served the Motion to Dismiss on Plaintiff at his general delivery address listed on the Court’s  
 23 docket. Declaration of Juan Walker in Support of Ex Parte Application and [Proposed] Order to  
 24 Continue Hearing on Motion to Dismiss and Extend Dates in Scheduling Orders (“Walker  
 25 Decl.”) at ¶ 2. On December 1, 2010, the Court, *sua sponte*, continued the hearing on the Motion  
 26 to Dismiss from January 14, 2011 to January 28, 2011. (Dkt#18.) On or about December 18,  
 27 2010, the Motion to Dismiss was returned to Defendant stamped, “Returned to Sender Unclaimed  
 28 from General Delivery”. Walker Decl. at ¶ 3. Other than the information contained on the  
 Court’s docket, the Defendant does not have any contact information for Plaintiff. *Id.* at ¶ 4. On  
 December 28, 2010, the Court Clerk filed a notice indicating that its notice to Plaintiff continuing

