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19 **UNITED STATES DISTRICT COURT**
 20 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 21 **SAN FRANCISCO**

22 ROBERT L. CAZET, an individual, et al.

23 Plaintiffs,

24 v.

25 TOPPA EPPS, an individual, et al.

26 Defendants.

CASE NO. C 10-02460 JSW

**[PROPOSED] Order Granting Defendants’
 Motion to Extend or Clarify the Time to File
 Motions for Summary Judgment, Pursuant to
 Local Rules 6-3, 7-1, and 7-11 , AS MODIFIED**

27 TOPPA EPPS, an individual, et al.

28 Counterclaimants,

v.

ROBERT L. CAZET, an individual, et al.

Counterdefendants.

LR-6-3, 7-1, and 7-11

1 **ORDER**

2 Defendants have submitted a Motion to Extend or Clarify the Time to File Motions for
3 Summary Judgment, Pursuant To Local Rules 6-3, 7-1, And 7-11, a Memorandum of Points and
4 Authorities and Declaration of Craig Stainbrook in Support of said Motion. Plaintiffs filed a timely
5 Opposition to said Motion.

6 After consideration of the briefs and all other matters presented to the Court, and in the
7 exercise of the Court’s broad discretion over all pre-trial activities (*Polar Bear Prods. v. Timex Corp.*,
8 384 F.3d 700, 719 (9th Cir.)), so as to give effect to the purposes of Rule 56 of the Federal Rules of
9 Civil procedure and permit motions for summary judgment, if any, to be brought timely after
10 conclusion of discovery, IT IS HEREBY ORDERED that Defendants’ Motion to Extend or Clarify
11 The Time To File Motions For Summary Judgment, Pursuant To Local Rules 6-3, 7-1, And 7-11 is
12 GRANTED.

13 The date by which the parties must files their opening summary judgment briefs is hereby
14 extended ~~until May 16, 2011. All other dates shall remain unchanged.~~ as follows: the parties shall
15 meet and confer on a briefing schedule on cross-motions for summary judgment whereby the opening
16 brief on one party's summary judgment motion shall be filed by May 20, 2011; the other party shall
17 file its opposition and opening cross-summary judgment brief by June 3, 2011; the reply in support
18 of the opening motion and opposition to the cross-motion must be filed by June 17, 2011; the reply
19 in support of the cross motion must be filed by June 24, 2011.

20 The hearing on the motions for summary judgment is continued from June 10, 2011 to
21 July 15, 2011 at 9:00 a.m. It is further ordered that the trial date is continued from September
22 12, 2011 to November 28, 2011.

23 Any other scheduling matters must be addressed in the parties' joint statement filed in
24 advance of the further case management conference set for April 15, 2011.

25 **IT IS SO ORDERED.**

26 Dated: March 28, 2011

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JEFFREY S. WHITE
United States District Judge