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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANCISCO CARRASCAL,

Plaintiff,

v.

DEANNA AVAKIAN, et al.,

Defendants.

No. C 10-02582 JSW

**ORDER GRANTING, IN PART,
PLAINTIFF'S REQUEST FOR
CONTINUANCE AND
MODIFYING BRIEFING
SCHEDULE**

This matter is set for a hearing on September 3, 2010, on a Motion to Dismiss or, in the Alternative, a Motion for a More Definite Statement, filed by Defendant Blanca Vazquez, erroneously sued as Blanca Castellanos-Chavez ("Chavez"), and Motions to Dismiss, or in the Alternative, for a More Definite Statement and to Strike Portions of Plaintiff's Complaint filed by Defendants PNC Bank and Deanna Avakian ("the PNC Bank Defendants").

On July 7, 2010 and July 19, 2010, the Court issued orders setting briefing schedules on the motions filed by Chavez and the PNC Bank Defendants, pursuant to which Plaintiff's opposition briefs were due on August 6, 2010.

On July 26, 2010, Defendant Federal National Mortgage Association, sued as "Fannie Mae" also filed a motion to dismiss and noticed that motion for hearing on September 3, 2010. On July 27, 2010, Defendant Wells Fargo Bank, N.A. filed a Notice of Joinder in each of the other Defendants' motions.

On August 9, 2010, Plaintiff filed a document entitled "Motion to Postpone the Date of Case Management Conference scheduled for September 3, 2010 at 9:00 a.m." In that document, Plaintiff requests a continuance of approximately 30 days "to prepare a strong defense of myself."

1 In light of the motions that were filed subsequent to the Court's previous orders setting
2 briefing schedules, the Court shall grant Plaintiff's request in part. The Court shall grant one
3 **final** continuance of the hearings on the motions to dismiss and one **final** extension of the
4 briefing schedules on the motions, although it shall not grant Plaintiff a full thirty days to
5 oppose the motions.

6 Accordingly, the hearing set for September 3, 2010 is HEREBY CONTINUED to
7 October 8, 2010 at 9:00 a.m.

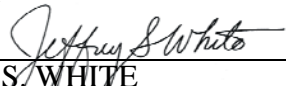
8 It is FURTHER ORDERED that Plaintiff's opposition briefs to each of the Defendants'
9 motions and to Wells Fargo's notice of joinder shall be due by no later September 3, 2010, and
10 Defendants' reply briefs shall be due on September 10, 2010. Plaintiff is HEREBY ADVISED
11 that if he fails to file his opposition briefs by this date, the Court may dismiss this case without
12 prejudice for failure to prosecute or, in the alternative, may rule on the merits of Defendants'
13 motions. If the Court finds the matter suitable for disposition without oral argument, it shall
14 notify the parties in advance of the hearing.

15 It is FURTHER ORDERED that the initial case management conference scheduled for
16 September 17, 2010 at 1:30 p.m. is VACATED and shall be reset if necessary after the hearing
17 on the motions to dismiss.

18 Finally, the Court again advises Plaintiff that a Handbook for Pro Se Litigants, which
19 contains helpful information about proceeding without an attorney, is available through the
20 Court's website or in the Clerk's office. Plaintiff also may wish to seek assistance from the
21 Legal Help Center. Plaintiffs may call the Legal Help Center at 415-782-9000, extension 8657,
22 or sign up on the 15th Floor of the Courthouse, Room 2796, for a free appointment with an
23 attorney who may be able to provide basic legal help, but not legal representation.

24 **IT IS SO ORDERED.**

25 Dated: August 10, 2010


26 _____
27 JEFFREY S. WHITE
28 UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 FRANCISCO CARRASCAL,
5 Plaintiff,

Case Number: CV10-02582 JSW

6 **CERTIFICATE OF SERVICE**

7 v.

8 DEANNA AVAKIAN et al,
9 Defendant.

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
11 Court, Northern District of California.

12 That on August 10, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
14 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
15 located in the Clerk's office.

16 Francisco Carrascal
17 P.O. Box 7246
18 Redwood City, CA 94063

19 Dated: August 10, 2010



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk