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 7 NATIONAL SEATING & MOBILITY, INC.

8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 NATIONAL SEATING & MOBILITY, INC.,

11 Plaintiff,

12 vs.

13 MICHAEL PARRY and DOES 1 through 20;
 14 inclusive,

15 Defendants.

Case No.: 3:10-cv-02782-JSW

**[PROPOSED] ORDER GRANTING NSM'S
 ADMINISTRATIVE MOTION FOR LEAVE
 TO FILE A SUR-REPLY IN RESPONSE TO
 PARRY'S REPLY BRIEF IN SUPPORT OF
 RENEWED MOTION FOR CLASS
 CERTIFICATION AND CONTINUING**

HEARINGS

Courtroom: 11, 19th Floor
 Judge: The Hon. Jeffrey S. White

Action Filed: March 3, 2010

18 MICHAEL PARRY, individually and on behalf
 of all others similarly situated,

19 Counter-Claimant,

20 vs.

21 NATIONAL SEATING & MOBILITY, INC.,

22 Counter-Claim Defendant.

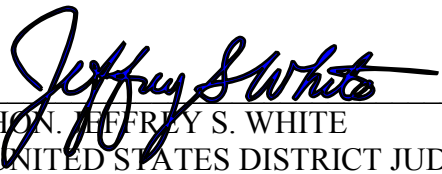
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 24 The administrative motion of Counter-Claim Defendant National Seating & Mobility, Inc.
 25 (hereinafter "NSM") for an Order granting NSM leave to file a sur-reply in response to Counter-
 26 Claimant Michael Parry's reply brief in support of his Renewed Motion for Class Certification came
 27

Parry opposes the request on procedural grounds. The Court refers Parry to its Civil Standing Order ¶ 3, which states that requests to continue are to be made by administrative motions. Although NSM should have explained why a stipulation could not be obtained, the Court shall not deny the motion on that basis.

Having considered the materials filed in support of this Motion, the Court hereby grants NSM leave to file a sur-reply of no more than 15 pages on or before March 9, 2012. The Court also hereby continues the hearing date on Parry's Renewed Motion for Class Certification to ~~March 23, 2012 at 9:00 a.m.~~ and the hearing date on Parry's Motion for Leave to File an Amended Counterclaim to ~~March 30, 2012 at 9:00 a.m.~~ March 30, 2012 at 9:00 a.m. ***This Order does not alter the briefing schedule on the latter motion.*** If the Court finds either motion suitable for disposition without oral argument, it shall notify the parties in advance of the hearing date.

IT IS SO ORDERED.

Dated: February 28, 2012

By: 
HON. JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE