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

JOHN LUPE,

Plaintiff,

No. C 10-03114 JSW

v.

WOODY D. BILYEU,

Defendant.

**ORDER SETTING BRIEFING  
SCHEDULE**

\_\_\_\_\_ /  
This matter is set for a hearing on January 7, 2011 on Defendants' motion to dismiss, transfer or stay. The Court HEREBY ORDERS that an opposition to the motion shall be filed by no later than October 27, 2010 and a reply brief shall be filed by no later than November 3, 2010.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

**IT IS SO ORDERED.**

Dated: October 13, 2010

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE