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10 Attorneys for Plaintiffs
11 FRESHERIZED FOODS, INC. and
12 AVOMEX, INC.

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

15 FRESHERIZED FOODS, INC. and
16 AVOMEX, INC.

17 Plaintiffs,

18 v.

19 CONTINENTAL CASUALTY COMPANY,

20 Defendant.

) CIVIL ACTION NO. CV 10 3207 BZ
)
) **APPLICATION FOR ORDER**
) **ALLOWING MEMORANDUM OF**
) **POINTS AND AUTHORITIES IN**
) **SUPPORT OF MOTION FOR**
) **SUMMARY JUDGMENT TO**
) **EXCEED 25 PAGES AND**
) **PROPOSED ORDER**
)
)
) Hearing Date: May 18, 2011
) Hearing Time: 10:00 a.m
) Magistrate Judge: B. Zimmerman
) Courtroom: G, 15th Floor

21
22
23 Pursuant to Local Rule 7.4 (b), Plaintiffs apply for an Order allowing them to file
24 an opening memorandum of points and authorities in support of their soon to be filed
25 Motion for Summary Judgment exceeding 25 pages of text but not greater than 30
26 pages.
27
28

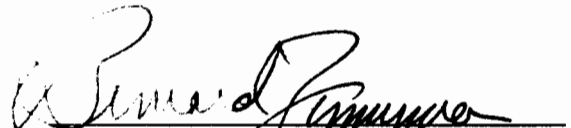
1 Plaintiffs need the additional pages in order to address not just the "duty to
2 defend" issue in the case, but also the "duty to indemnify" issue, per the Court's
3 instruction that the parties address both the "duty to defend" and "duty to indemnify"
4 issues in their forthcoming cross-motions for summary judgment.

5 Defendant does not object to Plaintiffs' requested page limit extension, but
6 requests that if the Court grants Plaintiffs' request that the Court also extend the page
7 limits for the Defendant's opening memorandum of points and authorities by an equal
8 amount.

9
10 **ORDER**

11 Plaintiffs and Defendant may file opening memorandums of points and
12 authorities in support of their cross-motions for summary judgment that contain up to
13 30 pages of text.

14 Dated: 28 March '11


15 Honorable Bernard A. Zimmerman
16 United States District Court for the
17 Northern District of California
18 Magistrate Judge