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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 LEO WASHINGTON,

No. C 10-04431 SI

9 Plaintiff,

**ORDER DENYING EX PARTE
APPLICATION FOR AN ORDER
SHORTENING TIME**

10 v.

11 INGRID S. LAYNE, et al.,

12 Defendants.
13 _____/

14 This case was removed from the Superior Court of Contra Costa County on September 30, 2010.
15 Docket No. 1. On October 5, 2010, plaintiff – who is appearing *pro se* – filed an *ex parte* application
16 for an order shortening time to hear his motion to remand. On October 7, 2010, defendants filed an
17 opposition to that application.

18 Under Civil Local Rule 6-3, a motion for an order shortening time must do the following:

- 19 (1) Set forth with particularity, the reasons for the requested enlargement or shortening of time;
20 (2) Describe the efforts the party has made to obtain a stipulation to the time change;
21 (3) Identify the substantial harm or prejudice that would occur if the Court did not change the
22 time; and
23 (4) If the motion is to shorten time for the Court to hear a motion:
24 (I) Describe the moving party's compliance with Civil L.R. 37-1(a) [requiring a
25 conference between counsel], where applicable, and (ii) Describe the nature of the
26 underlying dispute that would be addressed in the motion and briefly summarizes the
27 position each party had taken.
28 (5) Disclose all previous time modifications in the case, whether by stipulation or Court order;
(6) Describe the effect the requested time modification would have on the schedule for the case.


1 See Civ. L.R. 6.3.

2 Plaintiff has not shown that he complied with the Local Rule's requirements to meet and confer
3 with, and seek a stipulation from, opposing counsel. More fundamentally, plaintiff has not identified
4 any substantial harm or prejudice that would occur if the Court did not shorten the time to hear his
5 motion to remand. Plaintiff argues that removal was improper as it was done to avoid discovery that
6 was being sought in state court, and to avoid having the removed case consolidated other cases pending
7 in Contra Costa County Superior Court. See Declaration of Leo Washington in Support of Application
8 for an Order Shortening Time ¶¶ 32-33, 37. Those allegations, however, do not show that Mr.
9 Washington will be substantially harmed or injured by having his motion to remand heard by this Court
10 on normal noticed time. See Civ. L. R. 7-2(a) (motions must be filed and served 35 days in advance
11 of the proposed hearing date).

12 Plaintiff's application for an order shortening time, therefore, is DENIED. Plaintiff's motion
13 to remand will be set for hearing in Courtroom 10 of this Court on November 10, 2010 at 9:00 a.m.
14 Plaintiff is also advised that assistance with understanding this Court's procedures and jurisdiction is
15 available for *pro se* litigants from the Northern District's *Pro Se* Help Desk (415.782.9000, extension
16 8657).

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18 **IT IS SO ORDERED.**

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20 Dated: October 7, 2010

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23 SUSAN ILLSTON
24 United States District Judge
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