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

ZHIVKA VALIAVACHARSKA,

No. C10-4847 JSC

Plaintiff,

**ORDER RE: PLAINTIFF'S MOTION
TO QUASH (Dkt. No. 35)**

v.

MITCH CELAYA, MARGOT BENNETT,

Defendants.

On August 4, 2011, Plaintiff filed a motion to quash a subpoena served by Defendants on Plaintiff's mental health provider seeking certain medical and psychiatric records pertaining to Plaintiff. (Dkt. No. 35.) Under Local Rule 7-3(a), Defendants' response was due by August 18, 2011, and Plaintiff's reply was due by August 25, 2011. A hearing on the motion was set for September 8, 2011. Defendants, after missing this deadline by weeks, orally advised the Court that a notice of non-opposition to the motion to quash was forthcoming. Despite both this pronouncement and their disregard of L.R. 7-3 (a), Defendants filed a response in opposition to Plaintiff's motion on September 2, 2011.

In order to give Plaintiff the opportunity to respond to Defendants' untimely opposition, Plaintiff's reply, if any, shall be filed by September 16, 2011, and the hearing

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scheduled for September 8, 2011 is continued to September 22, 2011 at 9:00 a.m. in
Courtroom F.

IT IS SO ORDERED.

Dated: September 6, 2011



JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE