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United States District Court
For the Northern District of California

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

BOARD OF TRUSTEES, et al.,

Plaintiffs,

No. 11-00463 EDL

v.

**ORDER VACATING HEARING ON
MOTION FOR INTERLOCUTORY
DEFAULT JUDGMENT AND
REQUIRING PLAINTIFFS TO FILE
PROOF OF SERVICE**

CLIFTON ENTERPRISES INC., et al.,

Defendants.

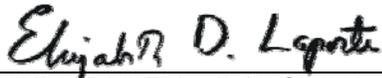
Plaintiffs have filed a motion for interlocutory default judgment that is set for hearing on November 15, 2011. It appears from the docket that Plaintiffs have not served Defendants with notice of the motion for default judgment, and Plaintiffs contend that “no notice to them is required.” Doc. no. 27 (Motion for Interlocutory Default Judgment) at 2. The Civil Local Rules of this Court, however, require that “[e]xcept as otherwise ordered or permitted by the assigned Judge or these Local Rules, and except for motions made during the course of a trial or hearing, all motions must be filed, served and noticed in writing on the motion calendar of the assigned Judge for hearing not less than 35 days after service of the motion.” Civ. L.R. 7-2(a). It appearing that Plaintiffs have not served Defendants with notice of the motion for interlocutory default judgment, the hearing set for November 15, 2011 is hereby VACATED.

Plaintiffs are hereby ORDERED to file a re-notice of the motion for default judgment for a hearing not less than 35 days after service of the motion, as well as a proof of service of the notice of motion and the supporting memorandum and declarations. Plaintiffs are not required to re-file the

1 papers in support of the motion. Plaintiffs are advised to consult the Court website for information
2 about the Court's law and motion calendar to set a hearing date.

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Dated: November 8, 2011



ELIZABETH D. LAPORTE
United States Magistrate Judge