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UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

PENSION TRUST FUND FOR OPERATING
ENGINEERS, et al.,

No. C 11-02851 LB

Plaintiffs,

**ORDER SETTING TELEPHONIC
STATUS CONFERENCE FOR
NOVEMBER 14, 2013**

v.

DALECON, INC., et al.,

Defendants.

Upon initial review of Plaintiffs' motion for summary judgment against Dalecon, Inc. (ECF No. 111), the court notes that Plaintiffs did not file along with their motion a joint statement of undisputed facts, as the court's standing order requires.¹ The court also notes that Dalecon, Inc., which has appeared and is represented by an attorney, has failed to file an opposition to Plaintiffs' motion (or a statement of non-opposition), and the deadline for doing so was November 12, 2013.

¹ The court's standing order provides as follows:

Motions for summary judgment must be accompanied by a joint statement of the material facts that the parties agree are not in dispute. The joint statement must include – for each undisputed fact – citations to admissible evidence. The parties must comply with the procedures set forth in Civil Local Rule 56-2(b). The parties may not file – and the Court will not consider – separate statements of undisputed facts. Failure to stipulate to an undisputed fact without a reasonable basis for doing so may result in sanctions. *See* Civil L. R. 56-2(b).

1 (Dalecon, Inc.'s counsel was served electronically through the court's Electronic Case File ("ECF")
2 system on October 29, 2013, Proof of Service, ECF No. 114, and Dalecon, Inc.'s opposition was due
3 14 days later, *see* Civ. L.R. 7-3(a).)

4 Given this situation, the court SETS a telephonic status conference for **Thursday, November**
5 **14, 2013 at 11:00 a.m.** to discuss the matter with Plaintiffs' counsel and Dalecon, Inc.'s counsel.

6 The court expects this will be a quick telephone call lasting only a few minutes, and the parties are
7 invited to appear via CourtCall. If this presents a problem for counsel, they should contact the
8 court's courtroom deputy Lashanda Scott (415-522-3140) to discuss an alternative time. The parties
9 should note, however, that the court wants to clear up this matter as soon as possible.

10 **IT IS SO ORDERED.**

11 Dated: November 13, 2013



12 _____
13 LAUREL BEELER
14 United States Magistrate Judge