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UNITED STATES DISTRICT COURT  
Northern District of California

LORRAINE FERGUSON,

Plaintiff,

v.

HORIZON LINES, INC., et al.,

Defendants.

No. CV11-3391 MEJ

**ORDER RE PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
CONSIDER DECLARATIONS  
INADVERTENTLY NOT FILED  
(DKT. NO. 35)**

Having reviewed Plaintiff's administrative motion (Dkt. No. 35) for the Court to consider four declarations that she inadvertently failed to file along with her opposition (Dkt. No. 27), the Court finds that no response is necessary from Defendant and rules as follows:

1. The declarations of Plaintiff, Paul Mitchell, Brett Lee, and Damon Gomes will be considered by the Court as having been filed by Plaintiff along with her opposition (Dkt. No. 27).

2. If Defendant wishes to address or file evidentiary objections to any part of these declarations, it may do so by refileing its reply (Dkt. No. 34) by **August 3, 2012**. Defendant does not need to refile the supplemental declaration of Katharine Essick if it remains the same as currently filed.

3. The hearing on Defendant's motion for summary judgment (Dkt. No. 17), currently calendared for August 2, 2012, is continued to **August 9, 2012**.

**IT IS SO ORDERED.**

Dated: July 30, 2012

  
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Maria-Elena Jimenez  
Chief United States Magistrate Judge