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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

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12 THOMAS E. PEREZ, Secretary of Labor,
United States Department of Labor,

13 Plaintiff,

14 v.

15 SEAFOOD PEDDLER OF SAN
16 RAFAEL, INC., dba SEAFOOD
PEDDLER; ALPHONSE SILVESTRI;
17 RICHARD MAYFIELD; FIDEL
CHACON,

18 Defendants.
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Case No. 12-cv-00116 WHO (NC)

**ORDER ADDRESSING
SECRETARY'S MOTION TO
CONTINUE HEARING ON
DISCOVERY SANCTIONS AND
UNPROFESSIONAL CONDUCT**

Hearing: April 30, 2014, 11:30 a.m.

Re: Dkt. 259

21 The Court responds to the Secretary's request to continue the April 30 hearing.
22 Dkt. 259. Because the Secretary's counsel did not confer with defendants' counsel before
23 filing the motion, the Court does not know whether defendants support or oppose the
24 relief requested.

25 The Court is inclined to grant in part the relief requested and to move the hearing
26 to May 7 at 1:00 p.m. The reason to extend the hearing would be so that Mr. Pasker
27 could participate in person. The Secretary's motion does not explain why Mr. Pasker
28 could not be present on May 7.

Case No. 12-cv-00116 WHO (NC)
ORDER RE: MOTION TO CONTINUE

1 Defendants are ordered to file a response to this order by April 25 at noon, stating
2 whether they have any opposition to moving the hearing to May 7 at 1:00 p.m., and if
3 they do, choosing either April 30 at 4:00 p.m. or May 14 at 2:00 p.m. in the alternative.

4 The Secretary's motion to continue is taken under submission.

5 IT IS SO ORDERED.

6 Date: April 24, 2014

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NATHANAEL M. COUSINS
9 United States Magistrate Judge
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