

United States District Court  
For the Northern District of California

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

DANIEL P. KLAHN and LAURIE KLAHN,  
Plaintiffs,  
v.  
EQUITY LIFESTYLE PROPERTIES,  
Defendant.

No. C -12-02743(EDL)

**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE AND  
HEARING ON MOTION FOR  
SUMMARY JUDGMENT**

Pro se Plaintiffs Daniel and Laurie Klahn filed this complaint on May 29, 2012. Plaintiffs consented to this Court’s jurisdiction and the Court granted Plaintiffs’ request to proceed in forma pauperis on June 18, 2012. A summons issued on July 12, 2012, but Defendant has not consented or appeared and no proof of service has been filed indicating that Defendant has been served.

On August 27, 2012, Plaintiff filed a motion for summary judgment with a hearing date of October 2, 2012. This motion is premature because Defendant does not appear to have been served and has not answered or otherwise responded. Therefore, the motion hearing set for October 2 is vacated, and Plaintiff shall re-notice the motion for a proper date and time once Defendant has been served, appeared, and relevant discovery – if any – has been completed. Additionally, the case management conference set for September 4 is continued until October 30 at 10:00 a.m. to allow time for Defendant to be served, consent or decline this Court’s jurisdiction, and respond to the complaint.

IT IS SO ORDERED.

Dated: August 29, 2012

*Elizabeth D. Laporte*  
ELIZABETH D. LAPORTE  
United States Magistrate Judge