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

VIEN DO,

Plaintiff,

No. C 13-01322 JSW

v.

**ORDER DIRECTING PARTIES
TO CLARIFY STATUS OF
MOTION TO TRANSFER**

HOLLINS LAW P.C.,

Defendant.

On April 25, 2013, Defendant Hollins Law, P.C. filed a motion to transfer venue for May 17, 2013 at 9:30 a.m. before Magistrate Judge Spero. On April 11, 2013, the case was reassigned to the undersigned Judge. On April 26, 2013, the Court directed Defendant to re-notice the motion on open and available date on this Court’s calendar, in accordance with Northern District Civil Local Rule 7-2(a). The Court expressly directed that Defendant should not re-file the entire motion. Rather, Defendant was ordered to file a re-notice of the hearing date. The Court also stated that the briefing schedule triggered by the filing of the motion, as set forth in Civil Local Rules 7-3(a) and 7-3(c), would not be altered.

On that same date, Plaintiff moved to strike the motion to transfer, because Defendant failed to notice it for a hearing date 35 days after the motion was filed. The Court denied that motion on April 29, 2013.

On May 6, 2013, Plaintiff filed an amended complaint.

On May 8, 2013, Defendant re-filed its motion to transfer, which is directed at Plaintiff’s original complaint. (*See* Docket No. 20, Ex. A.)

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On May 9, 2013, Plaintiff opposed Defendant’s motion to transfer, although it is unclear whether Plaintiff’s opposition pertained to Defendant’s original motion or the motion filed on May 9, 2013.

Accordingly, the parties are **HEREBY ORDERED** to submit a joint status report by no later than May 22, 2013 at 2:00 p.m., in which they advise the Court as to whether, in light of the amended complaint, Defendant intends to maintain that this action should be transferred and, if so, whether Plaintiff’s opposition brief (Docket No. 21), is directed at the motion to transfer filed on May 8, 2013 or whether Plaintiff will file an opposition brief on May 22, 2013, the date on which an opposition to Docket No. 21 would otherwise be due.

IT IS SO ORDERED.

Dated: May 21, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE