

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS A. SPITZER, et al.,

Plaintiffs,

v.

TRISHA A. ALJOE, et al.,

Defendants.

Case No. [13-cv-05442-MEJ](#)

ORDER VACATING CMC

This matter is currently scheduled for a Case Management Conference on June 5, 2014. Having reviewed the parties' joint statement, the Court finds it premature to schedule any case management deadlines at this time and hereby VACATES the June 5 CMC pending resolution of any motions to dismiss. The Court ORDERS as follows:

- 1) No ADR referral is appropriate at this time, pending resolution of any motions to dismiss.
- 2) So that this matter can proceed on the merits, the Court accepts Defendant McGrew's Motion to Dismiss as timely, without resolving Plaintiffs' arguments to the contrary. Pursuant to Civil Local Rule 7, Plaintiffs' Opposition is due June 10, 2014, and McGrew's Reply is due June 17, 2014.
- 3) The remaining Defendants shall file their response to Plaintiffs' Second Amended Complaint by June 4, 2014.

IT IS SO ORDERED.

Dated: May 30, 2014



MARIA-ELENA JAMES
United States Magistrate Judge