

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 ANA BIOCINI, et al.,
5 Plaintiffs,

6 v.

7 CITY OF OAKLAND, et al.,
8 Defendants.

Case No. 14-cv-03315-TEH

**ORDER DENYING
ADMINISTRATIVE MOTION TO
EXPEDITE HEARING**

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10 On February 24, 2016, Plaintiffs filed a Motion to Set Aside the Settlement
11 Agreement of January 8, 2016. Docket No. 49. The same day, Plaintiffs filed an
12 Administrative Motion to Expedite Hearing on the Motion to Set Aside the Settlement
13 Agreement. Docket No. 51. Plaintiffs request an expedited hearing date of March 21,
14 2016. *Id.* at 1-2.

15 The Civil Local Rules require that “all motions [] be filed, served and noticed in
16 writing on the motion calendar of the assigned Judge for hearing not less than 35 days after
17 filing of the motion.” Civ. L. R. 7-2(a). Accordingly, with a filing date of February 24,
18 2016, the earliest date that Plaintiffs’ Motion could be heard – and also be in compliance
19 with the Civil Local Rules – is Wednesday, March 30, 2016. Because the Court holds its
20 motion calendar on Mondays, the earliest possible date for hearing Plaintiffs’ Motion is
21 therefore Monday, April 4, 2016.


22 The only reason provided by Plaintiffs for expediting their Motion hearing is that
23 Plaintiffs’ counsel is not available on March 28, 2016. Docket No. 51 at 2. Plaintiffs
24 provided no reason that this matter cannot be heard on the earliest available date under the
25 Civil Local Rules – April 4, 2016. And given the Court’s otherwise demanding trial and
26 motion calendar for the month of March, the Court declines to expedite the hearing to a
27 time before the earliest available date.
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Accordingly, Plaintiffs' Administrative Motion is hereby DENIED, and Plaintiffs' Motion to Set Aside the Settlement Agreement of January 8, 2016 is hereby set for oral argument on **April 4, 2016 at 10:00 AM** in Courtroom 2, 17th Floor, San Francisco. The briefing schedule for that Motion shall also be set according to the Civil Local Rules: responses are due by **March 9, 2016**; and replies are due by **March 16, 2016**.

IT IS SO ORDERED.

Dated: 02/25/16



THELTON E. HENDERSON
United States District Judge