

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 LORRAINE WELLS, et al.,

5 Plaintiffs,

6 v.

7 THE REGENTS OF THE UNIVERSITY
8 OF CALIFORNIA, et al.,

9 Defendants.

Case No. 15-cv-01700-TEH

ORDER RE: BRIEFING SCHEDULE

10 Defendants in this case filed a motion to dismiss Plaintiffs' complaint on April 22,
11 2015. (Docket No. 5). The motion set an incorrect briefing schedule, with Plaintiffs'
12 response due on May 13, 2015, and Defendants' reply due on May 18, 2015. The Court's
13 Clerk immediately issued a Clerk's Notice setting the correct response and reply deadlines.
14 (Docket No. 7). As explained in the Clerk's Notice, Civil Local Rule 7-3 provides that the
15 response deadline was May 6, 2015, and the reply deadline was May 13, 2015. No filings
16 were made by these dates. Instead, the Parties submitted a stipulation on May 13, 2015,
17 requesting that the hearing be continued until June 15, 2015. (Docket No. 8). The Court
18 granted this request. (Docket No. 9). However, the Court's Order on the stipulation did
19 not change the briefing schedule. As a result, Plaintiffs' response is now thirteen days late,
20 and Defendants' reply is six days late.

21 It appears that the Parties are under the impression that the briefing schedule is
22 determined by the hearing date, rather than the motion's filing date. This is incorrect. As
23 provided in Civil Local Rule 7-3, the opposition is due "not more than 14 days after the
24 motion was filed." Civil L.R. 7-3(a). The reply is then due "not more than 7 days after the
25 opposition was due." Civil L.R. 7-3(c). This is the rule that will be strictly applied to all
26 future motions absent an approved revision to the briefing schedule.

27 As all Parties have now missed their filing deadlines, the Court must set a new
28 briefing schedule for this motion. Plaintiffs' opposition shall be filed on or before **May**

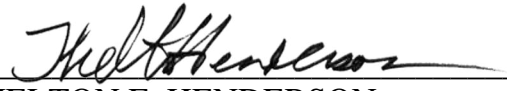
United States District Court
Northern District of California

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22, 2015. Defendants’ reply shall be filed on or before **May 29, 2015.** The Parties’ failure to adhere to these deadlines, in light of their failure to adhere to the deadlines provided in the Local Rules and set by the Clerk’s Notice a month ago, will be met with consequences as determined by the Court.

IT IS SO ORDERED.

Dated: 05/19/5



THELTON E. HENDERSON
United States District Judge