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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA,

Plaintiff,

v.

K.O.O. CONSTRUCTION, INC., et al.,

Defendants.

Case No. [16-cv-00518-JCS](#)

**ORDER SETTING DEADLINE FOR
SURREPLY AND CONTINUING
HEARING DATE**

In response to arguments raised in Defendants' opposition to Plaintiff's second motion for partial summary judgment, Plaintiff Travelers Casualty and Surety Company of America submitted a declaration with 75 new exhibits with its reply brief, and another declaration with 154 new exhibits on April 10, 2018, more than two weeks after it filed its reply and less than two weeks before the hearing on the motion. Interests of efficiency favor considering this late-filed evidence in the context of the pending motion rather than deferring consideration until trial. Accordingly, Defendants may file a surreply not exceeding fifteen pages no later than April 20, 2018, and the hearing on the motion for partial summary judgment is CONTINUED to May 4, 2018 at 2:00 PM.

IT IS SO ORDERED.

Dated: April 13, 2018



JOSEPH C. SPERO
Chief Magistrate Judge