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

MODESTA JACINTO,
Plaintiff,
v.
DITECH FINANCIAL LLC, et al.,
Defendants.

Case No. [16-cv-02815-MMC](#)

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; RESETTING HEARING
ON MOTION TO DISMISS AND CASE
MANAGEMENT CONFERENCE**

On August 24, 2016, the Court ordered plaintiff to show cause why her opposition to defendants' motion to dismiss should not be stricken as untimely.¹ On August 26, 2016, in response thereto, plaintiff's counsel filed a declaration in which she explains that the reason for the untimely filing was her unfamiliarity with the governing Civil Local Rule.

Needless to say, all counsel must read and, in the absence of an order to the contrary, follow the directives set forth in the Local Rules of this District. Nevertheless, no prejudice to defendants having been shown, the Order to Show Cause is hereby DISCHARGED and the hearing on the motion to dismiss is hereby RESET for Friday, September 23, 2016, at 9:00 a.m.²

¹In addition, in light of said order, the Court vacated the September 2, 2016, hearing on defendants' motion.


²The Court notes that, in connection with the September 2, 2016 hearing, plaintiff's counsel filed a Request for Court Call Appearance. Plaintiff's counsel is hereby advised that the Court does not conduct contested hearings by telephone.

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Further, in light of the above, the Case Management Conference is hereby RESET for Friday, November 4, 2016, at 10:30 a.m. An updated Joint Case Management Statement shall be filed no later than October 28, 2016.

IT IS SO ORDERED.

Dated: August 29, 2016


MAXINE M. CHESNEY
United States District Judge