

United States District Court
For the Northern District of California

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

CAROL THOMAS,
Plaintiff,

No. 3:16-cv-03819-CRB

ORDER RE MOTION TO DISMISS

v.

SAN FRANCISCO HOUSING
AUTHORITY, et al.,
Defendants.

_____/

Defendant San Francisco Housing Authority (“SFHA”) recently filed a motion to dismiss Plaintiff Carol Thomas’s Second Amended Complaint, setting the hearing for fewer than 35 days out. See MTD (dkt. 25) (filed December 19, 2016 and set for January 20, 2017). This violates Civil Local Rule 7-2. See Civ. Local R. 7-2. Just as problematic, Thomas asserts that SFHA did not serve her with the motion. See Declaration (dkt. 27); see also Certificate of Service (dkt. 25-2) (certifying that SFHA served Thomas on September 16, 2016). The Court therefore: VACATES the hearing date currently set for January 20, 2017; DIRECTS SFHA to serve Thomas with the motion by January 20, 2017, and to file an accurate certificate of service; and SETS a new schedule as follows. Thomas may file an opposition by February 3, 2017, SFHA may file a reply by February 10, 2017, and the motion

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1 hearing shall be held on March 3, 2017.

2 **IT IS SO ORDERED.**

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4 Dated: January 10, 2017



5 CHARLES R. BREYER
6 UNITED STATES DISTRICT JUDGE

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