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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

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7 THUNDER POWER NEW ENERGY
8 VEHICLE DEVELOPMENT COMPANY
9 LIMITED,

10 Plaintiff,

11 v.

12 BYTON NORTH AMERICA
13 CORPORATION, et al.,

14 Defendants.

Case No. 18-cv-03115-JST

SCHEDULING ORDER

Re: ECF Nos. 55, 58

15 Plaintiff Thunder Power filed a motion for a preliminary injunction on September 5, 2018,
16 with responses due by September 19, 2018, and Plaintiff's reply due on September 26, 2018. ECF
17 No. 47. Defendant Byton North America Corporation ("Byton N.A.") filed its opposition on
18 schedule. ECF No. 51. Defendant Nanjing Byton New Energy Vehicle Development Co., Ltd.
19 ("Nanjing Byton") did not.

20 Instead, on September 19, 2018, Nanjing Byton and Plaintiff filed a joint stipulation
21 purporting to extend the deadline for Nanjing Byton's reply until October 3, 2018. ECF No. 55.
22 This filing did not include a proposed order, nor did it request this Court's approval, as required by
23 Civil Local Rules 6-1(b) and 6-2.

24 On September 25, 2018, the parties filed a stipulation and proposed order requesting to
25 extend the September 26 deadline for Plaintiff's reply brief to October 3, 2018. ECF No. 58.
26 Neither the stipulation nor the proposed order addresses the practicability of having Plaintiff's
27 reply brief in support of its preliminary injunction motion due on the same day as Nanjing Byton's
28 opposition to that motion.

The parties' September 25 stipulation additionally requests that the Court extend Nanjing

1 Byton's deadline to respond to Plaintiff's first amended complaint from September 26, 2018, to
2 October 3, 2018. ECF No. 58. Per Civil Local Rule 6-1(a), no court order is required for the
3 parties to extend this deadline pursuant to stipulation.

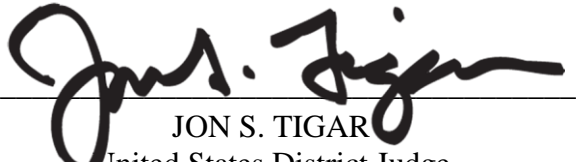
4 In the interest of preserving judicial economy and clarifying the applicable schedule
5 moving forward, the Court sets the following deadlines:

6 Nanjing Byton's deadline to answer Plaintiff's first amended complaint is October 3, 2018.
7 Nanjing Byton's opposition to Plaintiff's motion for a preliminary injunction is due October 3,
8 2018. Plaintiff's reply in support of its preliminary injunction motion is due October 10, 2018.

9 The Court urges the parties to familiarize themselves with the Local Rules and to comply
10 with them in all respects with regard to future filings.

11 **IT IS SO ORDERED.**

12 Dated: September 26, 2018



JON S. TIGAR
United States District Judge