

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

3
4 CRS RECOVERY, INC., a Virginia
Corporation, and DALE MAYBERRY,

No. C 06-7093 CW

5 Plaintiffs,

ORDER DENYING
DEFENDANT JOHN
LAXTON'S REQUEST TO
CONTINUE TRIAL DATE
AND REQUIRING HIS
PARTICIPATION IN
PROCEEDINGS

6 v.

7 JOHN LAXTON, aka
8 johnlaxton@gmail.com, et al.,

9 Defendants.

10 _____/

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12 In a letter dated September 15, 2010, Defendant John Laxton
13 asked the Court to continue the trial date to sometime in April or
14 May, 2011. Trial is currently set to begin on December 13, 2010.
15 Plaintiffs CRS Recovery, Inc., and John Mayberry oppose Laxton's
16 request. Plaintiffs also represent that Laxton refused to be
17 deposed prior to September 1, 2010, the fact discovery deadline,
18 and did not fully cooperate in the scheduling of a settlement
19 conference with Magistrate Judge Zimmerman.

20 The Court does not find good cause to continue the trial date.
21 Laxton has had since early July to obtain new counsel, and there
22 remains an ample amount of time for an attorney to become familiar
23 with his case. Accordingly, Laxton's request is DENIED.

24 Laxton shall confer with Plaintiffs' counsel and schedule his
25 deposition for a date no later than October 15, 2010. He shall
26 also participate in the November 16, 2010 settlement conference
27 scheduled by Judge Zimmerman. His failure to abide by these
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1 instructions or any other order of the Court may result in default
2 being entered against him.

3 IT IS SO ORDERED.

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5 Dated: September 20, 2010



CLAUDIA WILKEN
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CRS RECOVERY INC., et al.,
Plaintiffs,

Case Number: CV06-07093 CW

CERTIFICATE OF SERVICE

v.

JOHN LAXTON, et al.,
Defendants.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 20, 2010, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy into an inter-office delivery receptacle located in the Clerk's office.

John Laxton
P.O. Box 11777
Santa Rosa, CA 95406

Dated: September 20, 2010

Richard W. Wieking, Clerk
By: MP, Deputy Clerk