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untimely filed. The predicament that Defendants find themselves in is entirely of their own making. Accordingly,

IT IS HEREBY ORDERED THAT Defendant's Second Request for Extension of Time to File Dispositive Motion is DENIED. **If Defendants fail to file their motion for summary judgment forthwith, the Court may consider the imposition of monetary sanctions.**

This Order terminates Docket no. 22.

IT IS SO ORDERED.

DATED: 1/15/10


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ARTHUR PARNELL III,
Plaintiff,

Case Number: CV06-07662 SBA

CERTIFICATE OF SERVICE

v.

A. TUCKER et al,

Defendant.

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 January 19, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Arthur Parnell T50222
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960-1050

Dated: January 19, 2010

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk