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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 TANYA SCHWENK, et al.,

7 Plaintiffs,

8 vs.

9 COUNTY OF ALAMEDA, et al.,

10 Defendants.
11

Case No: C 07-0849 SBA

**ORDER REGARDING
DEFENDANTS' EX PARTE
APPLICATION TO HEAR MOTION
FOR SUMMARY JUDGMENT
BEYOND COURT DEADLINE**

Dkt. 67

12 On February 4, 2011, Defendants filed an ex parte application requesting that they be
13 allowed to notice their motion for summary judgment for a hearing date beyond the March 29,
14 2011 motion hearing deadline in this matter, as no hearing date prior to the deadline is
15 available on the Court's calendar.¹ Given that the motion could potentially narrow or resolve
16 the issues presented in this action, the Court will allow the motion to be heard pursuant to the
17 schedule set forth below. To accommodate this schedule, the Court will vacate the motion
18 hearing deadline, the pretrial deadlines, and the trial date, as set forth below, and will
19 reschedule such dates, if necessary, at a further case management conference. Accordingly,

20 IT IS HEREBY ORDERED THAT:

21 1. The March 29, 2011 motion hearing deadline, the April 12, 2011 deadline for
22 pretrial preparation, the deadlines for filing motions in limine, objections to evidence, and
23 responses and replies, the May 10, 2011 pretrial conference, and the May 23, 2011 trial date
24 are VACATED.
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28 ¹ On February 2, 2010, the Ninth Circuit affirmed in part and reversed in part Plaintiffs'
appeal of the Court's order granting Defendants' motion to dismiss, and remanded this matter
for further proceedings. Dkt. 48. Mandate was spread on February 24, 2010. Dkt. 49.


1 2. Defendants' motion for summary judgment shall be heard on May 17, 2011 at
2 1:00 p.m. Defendants' motion shall be filed by April 12, 2011, Plaintiffs' opposition shall be
3 filed by April 26, 2011, and Defendants' reply shall be filed by May 3, 2011.

4 3. A further case management conference is scheduled in this matter for May 17,
5 2011 at 1:00 p.m. The parties shall meet and confer prior to the conference and shall prepare a
6 joint Case Management Conference Statement which shall be filed no later than ten (10) days
7 prior to the Case Management Conference that complies with the Standing Order for All
8 Judges of the Northern District of California and the Standing Order of this Court.

9 4. Defendants' ex parte application (Dkt. 67) is DENIED as MOOT.

10 IT IS SO ORDERED.

11 Dated: February 9, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge

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