

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALFRED LAM, et al.,
Plaintiffs,
v.
CITY AND COUNTY OF SAN
FRANCISCO, et al.,
Defendants.

No. C 08-4702 PJH

**ORDER DENYING MOTION
TO CONTINUE HEARING DATE**

Before the court are plaintiffs' motion for administrative relief in order to continue the April 21 hearing on defendants' motion to dismiss, and the parties' corresponding stipulation to continue the same hearing. The filing of both was occasioned by the untimely filing of an opposition brief by plaintiffs. Instead of filing the opposition brief on March 30, as required by the local rules, plaintiffs filed their opposition brief one week late, on April 7 – thereby preventing defendants from filing a timely reply brief.

Having reviewed the parties' papers, however, the court hereby DENIES the motion to continue the hearing date. It is counsel's responsibility to remain apprised of all court-imposed deadlines, and given the voluminous law and motion calendar already scheduled for the months of April and May, the court cannot effectively accommodate plaintiffs' newly proposed hearing date of April 28.

In order to prevent undue prejudice to defendants, however, the court hereby grants defendants until April 14, 2010, on which to file their reply brief. The court recognizes that this presents defendants with a shortened time frame in which to file their reply. Nonetheless, in view of the limited nature of the legal issues presented by way of defendants' motion and plaintiffs' opposition brief, the court finds that even this shortened

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time frame is sufficient to allow defendants to adequately prepare their reply.

Accordingly, the hearing will take place as scheduled, on April 21, 2010.

IT IS SO ORDERED.

Dated: April 9, 2010



PHYLLIS J. HAMILTON
United States District Judge