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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JSR MICRO, INC.,

Plaintiff,

No. C 09-3044 PJH

v.

**ORDER**

QBE INSURANCE CORPORATION,

Defendant.  

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The court is in receipt of numerous filings by both plaintiff and defendant over the past several days: (1) defendant's Motion for Leave to File a First Amended Answer and First Amended Counterclaim; (2) defendant's administrative motion requesting a case management conference and temporary stay of discovery; (3) plaintiff's response to defendant's administrative motion; and (4) plaintiff's own administrative motion requesting a briefing and hearing schedule on defendant's Motion for Leave to File a First Amended Answer and First Amended Counterclaim. Having read the parties' papers, and for good cause appearing, the court hereby orders as follows:

1. The court hereby construes defendant's Motion for Leave to File a First Amended Answer and First Amended Counterclaim as a properly filed motion pursuant to Civil Local Rule 7-2. Accordingly, in view of the notice requirements set forth therein – as well as the court's extremely busy calendar on October 27, 2010 – the court hereby sets defendant's motion for hearing on November 3, 2010, at 9:00 a.m. Plaintiff's opposition brief shall be due no later than October 13, 2010. Defendant's reply brief shall be due no later than October 20, 2010.

2. Defendant's contemporaneously filed administrative motion requesting a case

1 management conference and temporary stay of discovery is DENIED. If, after  
2 consideration of the foregoing motion for leave to amend, the court decides to grant  
3 defendant's motion, it will permit additional discovery within the scope of any new  
4 amendments at that time. To the extent defendant's administrative motion otherwise seeks  
5 a stay of existing discovery, and a further case management conference in order to discuss  
6 related issues, defendant's motion is denied.

7 3. Plaintiff's administrative motion requesting a briefing and hearing schedule on  
8 defendant's Motion for Leave to File a First Amended Answer and First Amended  
9 Counterclaim is also DENIED, in view of the foregoing ruling setting a hearing date and  
10 briefing schedule in connection with defendant's motion.

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**IT IS SO ORDERED.**

Dated: September 21, 2010



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PHYLLIS J. HAMILTON  
United States District Judge