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2 UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
4 OAKLAND DIVISION  
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6 KAREN GOLINSKI,

7 Plaintiff,

8 vs.

9 UNITED STATES OFFICE OF PERSONNEL  
10 MANAGEMENT,

11 Defendant.

Case No: C 10-0257 SBA

**ORDER DENYING PLAINTIFF  
KAREN GOLINSKI'S EX PARTE  
APPLICATION FOR ORDER  
SHORTENING TIME FOR NOTICE  
AND HEARING FOR PRELIMINARY  
INJUNCTION**

12 Presently before the Court is Plaintiff Karen Golinski's Ex Parte Application for Order  
13 Shortening Time for Notice and Hearing Motion for Preliminary Injunction.<sup>1</sup> (Docket No. 13.)  
14 Plaintiff, a staff attorney with the Ninth Circuit, has filed the instant action seeking a preliminary  
15 injunction and an order of mandamus against the Office of Personnel Management that would  
16 allow her to enroll her same-sex spouse in her family health care plan.  
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18 Pursuant to Civil Local Rule 6-3(a)(3), a motion to shorten time must identify "the  
19 substantial harm or prejudice that would occur if the Court did not change the time." In the instant  
20 case, Plaintiff specifically describes the harm as the daily "risk and related anxiety that her spouse  
21 will become ill or suffer an injury for which necessary treatment will not be fully insured or which  
22 will incur devastating costs." (Mot. at 2:7-9.) Plaintiff's anxiety is therefore predicated upon the  
23 possibility that her spouse *may* require treatment that *may* not be covered by her current health  
24 insurance plan.  
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28 <sup>1</sup> Defendant filed an opposition to the instant motion on February 2, 2010 (Docket No. 17)  
and Plaintiff a reply on February 3, 2010 (Docket No. 20).

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The Court is sensitive to Plaintiff's concerns and the import of the underlying issues. However, given the tenuous nature of the harm at this juncture, the Court does not find this sufficient to warrant expediting the hearing on Plaintiff's motion ahead of other parties who similarly suffer the anxiety of a potential unfavorable turn of events.

Notwithstanding the above, the Court will set an expedited briefing schedule and may, in its discretion, decide the matter on the pleadings or accelerate the hearing at a later date should an opening in the Court's currently full calendar become available. See Fed.R.Civ.P. 78(b).

Accordingly,

IT IS HEREBY ORDERED THAT:

1. Plaintiff Karen Golinski's Ex Parte Application for Order Shortening Time for Notice and Hearing Motion for Preliminary Injunction is DENIED.
2. Defendant is to file a response to Plaintiff's motion for a preliminary injunction on or before March 2, 2010.
3. Plaintiff may file a reply on or before March 9, 2010.

IT IS SO ORDERED.

Dated: 2/10/10

  
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SAUNDRA BROWN ARMSTRONG  
United States District Judge