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4 IN THE UNITED STATES DISTRICT COURT  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
6

7 JOHN PHILIPPS,

No. C 10-03721 CW

8 Plaintiff,

ORDER DENYING AS  
MOOT PLAINTIFF'S  
MOTION FOR AN  
EXTENSION OF TIME  
(Docket No. 19)

9 v.

10 ERIC HOLDER, Attorney General,  
11 Department of Justice; and MARGARET  
12 HAMBURG, Commissioner, Food and Drug  
Administration,

13 Defendants.  
14 \_\_\_\_\_/

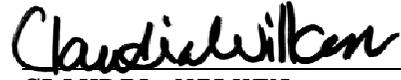
15 In its Order of January 31, 2011, the Court warned Plaintiff  
16 John Philipps that his action would be dismissed for failure to  
17 prosecute if he did not, by February 10, 2011, file an opposition  
18 to Defendants Eric Holder and Margaret Hamburg's motion to dismiss.  
19 On February 3, 2011, Plaintiff filed an opposition to Defendants'  
20 motion to dismiss, along with a motion that he be given until  
21 February 10, 2011 to file a "further opposition."

22 Because the Court's January 31 Order affords Plaintiff until  
23 February 10, 2011 to file an opposition, his motion is DENIED as  
24 moot. (Docket No. 19.) Plaintiff has until February 10 to file an  
25 opposition. However, the Court will consider only one opposition  
26 brief, which shall not exceed twenty-five pages. If Plaintiff  
27 files another opposition brief by February 10, only that brief will  
28

1 be considered. If he fails to do so, the Court will consider the  
2 brief filed on February 3. As provided in the Court's January 31  
3 Order, Defendants' reply is due February 17, 2011.

4 IT IS SO ORDERED.

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6 Dated: 2/7/2011



CLAUDIA WILKEN  
United States District Judge

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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 PHILIPPS et al,

5 Plaintiff,

6 v.

7 HOLDER et al,

8 Defendant.

Case Number: CV10-03721 CW

**CERTIFICATE OF SERVICE**

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,  
10 Northern District of California.

11 That on February 7, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
14 in the Clerk's office.

15 John Philipps  
16 2337 Ransom Avenue  
17 Oakland, CA 94601

Dated: February 7, 2011

Richard W. Wieking, Clerk  
By: Nikki Riley, Deputy Clerk