

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

5 ERLINDA MARCELO,

6 Plaintiff,

7 vs.

8 PERFUMANIA, INC.; MAGNIFIQUE
9 PARFUMES AND COSMETICS, INC.; and
10 DOES 1 through 10,

11 Defendants.

Case No: C 10-4740 SBA

**ORDER GRANTING
DEFENDANTS' UNOPPOSED EX
PARTE APPLICATION**

12
13 Defendants have filed an ex parte application to extend the law and motion cut-off of
14 December 13, 2011. Specifically, Defendants indicate that they intend to file a dispositive
15 motion, but that the Court's law and motion is full on that date. In addition, Defendants
16 state that their proposed extension will facilitate the parties' settlement discussions.

17 Plaintiff does not oppose Defendants' request. Good cause appearing,

18 IT IS HEREBY ORDERED THAT:

19 1. Defendants' ex parte application to extend the law and motion cut off is
20 GRANTED.

21 2. Defendants shall file their motion for summary judgment¹ by January 3,
22 2012. Plaintiff's opposition shall be filed by no later than January 17, 2012, and
23 Defendants' reply shall be filed by no later than January 24, 2012. The motion hearing will
24 take place on February 7, 2012 at 1:00 p.m. The Court, in its discretion, may resolve the
25

26 ¹ Defendants' ex parte application makes reference to "motions for summary
27 judgment and/or partial summary judgment and a motion to exclude expert witnesses. The
28 Court's Standing Orders permit only one summary judgment motion per side. To the
extent that Defendants intend to raise the issue of Plaintiff's experts at this juncture, they
shall do so in the same brief as their motion for summary judgment.

1 motion without oral argument. Fed. R. Civ. P. 78(b); Civ. L.R. 7-1(b). The parties are
2 advised to check the Court's website to determine whether a court appearance is required.

3 3. The Order for Pretrial Preparation, filed April 15, 2011, (Dkt. 26) is
4 MODIFIED as follows:

- | | | | |
|----|----|---|----------------------|
| 5 | a. | Pretrial preparation due: | 3/13/12 |
| 6 | b. | Motions in limine/objections to evidence ² : | 3/20/12 |
| 7 | c. | Responses to motions in limine/
objections to evidence: | 3/27/12 |
| 8 | | | |
| 9 | d. | Replies in support of motions in limine/
objections to evidence: | 4/3/12 |
| 10 | e. | Pretrial conference: | 4/17/12 at 1:00 p.m. |
| 11 | f. | Trial date (5-6 day jury trial): | 4/30/12 at 8:30 a.m. |
| 12 | g. | Mandatory settlement conference: | 2/13/12-3/9/12 |
| 13 | | | |

14 4. No further requests to continue the trial date or any other scheduled dates or
15 deadlines will be considered absent exigent and unforeseen circumstances.

16 5. This Order terminates Docket 44.

17 IT IS SO ORDERED.

18 Dated: October 28, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge

19
20
21
22
23
24

² All motions in limine submitted by each party shall be set forth in a single memorandum, not to exceed ten (10) pages in length. Responses to the motions in limine shall be set forth in a single memorandum, not to exceed ten (10) pages in length. Reply briefs shall not exceed six (6) pages. No motions in limine will be considered unless the parties certify that they met and conferred prior to the filing of such motion. Any request to exceed the page limit must be submitted prior to the deadline for these briefs and must be supported by a showing of good cause, along with a certification that the applicant has met and conferred with the opposing party.