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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN PHILIP CANNON,
Plaintiff,
v.
CITY OF PETALUMA, et al.,
Defendants.

No. C 11-0651 PJH
ORDER

During the course of the court's review of the papers filed by the parties in connection with defendants' pending motions to dismiss the second amended complaint ("SAC"), the following has come to the court's attention.

The Sonoma County defendants filed their motion to dismiss the SAC on November 2, 2011. Plaintiff's opposition was due on November 16, 2011. The Petaluma defendants filed their motion to dismiss on November 3, 2011. Plaintiff's opposition to that motion was due on November 17, 2011.

On November 14, 2011, plaintiff filed an opposition to each of the two motions. However, those oppositions were identical to the oppositions plaintiff had previously filed to the defendants' motions to dismiss the first amended complaint. On November 21, 2011, defendants filed replies to the oppositions, noting that the oppositions were completely unresponsive to the pending motions, which were motions to dismiss the SAC.

United States District Court
For the Northern District of California

1 On December 2, 2011 – more than two weeks after his original oppositions were
2 due – plaintiff filed “amended” oppositions to each of the pending motions, in which he
3 responded to the arguments made by defendants in their motions to dismiss the SAC.

4 Although the late oppositions should be stricken, the court has determined that the
5 better course would be to permit defendants to file replies to the late-filed oppositions. The
6 replies shall be filed no later than February 15, 2012. The court also admonishes plaintiff
7 that further missed deadlines will not go unsanctioned.

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9 **IT IS SO ORDERED.**

10 Dated: January 31, 2012



PHYLLIS J. HAMILTON
United States District Judge

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