

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

3 JOHN M. SCHOPPE-RICO,

No. C 11-1089 YGR (PR)

4 Plaintiff,

**ORDER GRANTING IN PART AND  
 DENYING IN PART DEFENDANTS'  
 REQUEST FOR AN EXTENSION OF  
 TIME TO FILE A DISPOSITIVE  
 MOTION**

5 v.

6 ROBERT A. HOREL, et al.,

7 Defendants.  
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10 Defendants move for an extension of time to file their dispositive motion. Specifically, they  
 11 seek an extension to a date that is ninety days after the November 20, 2013 settlement conference in  
 12 this matter,<sup>1</sup> up to and including February 18, 2014.

13 The amount of time requested by Defendants is not warranted based on the record presented.  
 14 The Order of Service in this matter was issued on July 23, 2013. Because Defendants were  
 15 requested to waive service of the summons, the Court gave them an extended deadline to file their  
 16 answer and dispositive motion. Therefore, Defendants have had ample time to file their dispositive  
 17 motion. However, having read and considered Defendants' request and the accompanying  
 18 declaration of counsel, the Court finds that Defendants have made a sufficient showing for a sixty-  
 19 day extension of time. Accordingly,

20 IT IS HEREBY ORDERED that Defendants' request for an extension of time is GRANTED  
 21 in part and DENIED in part. While the Court DENIES Defendants' request for a ninety-day  
 22 extension, it finds that a sixty-day extension is warranted. Therefore, the Court GRANTS  
 23 Defendants a sixty-day extension, and their dispositive motion shall be filed no later than **January**  
 24 **20, 2014**. Plaintiff's opposition to the dispositive motion shall be filed with the Court and served on  
 25 Defendants no later than **twenty-eight (28) days** after the date Defendants' motion is filed.  
 26 Defendants shall file a reply brief no later than **fourteen (14) days** after the date Plaintiff's  
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28 <sup>1</sup> Magistrate Judge Nandor Vadas's chambers has informed the undersigned judge's chambers that this matter did not settle on November 20, 2013.

1 opposition is filed. No further extensions of time will be granted in this matter absent extraordinary  
2 circumstances.

3 This Order terminates Docket no. 52.

4 IT IS SO ORDERED.

5 DATED: December 5, 2013

  
6 YVONNE GONZALEZ ROGERS  
7 UNITED STATES DISTRICT COURT JUDGE

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