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UNITED STATES DISTRICT COURT  
For the Northern District of California

UNITED STATES DISTRICT COURT  
Northern District of California  
Oakland Division

FRANK MORROW,

No. C 11-02351 LB

Plaintiff(s),

v.

**ORDER GRANTING DEFENDANTS'  
MOTION TO ADJUST BRIEFING  
SCHEDULE AND CONTINUING  
HEARING ON DEFENDANTS'  
MOTION TO DISMISS**

CITY OF OAKLAND,

Defendant(s).

On December 5, 2011, Defendants filed a motion to dismiss Plaintiff's complaint. Motion to Dismiss, ECF No. 12.<sup>1</sup> The motion was noticed for hearing before the undersigned on January 19, 2011. No proof of service was filed demonstrating that Defendants served the motion on Plaintiff, who is proceeding pro se.

On December 15, 2011, Defendants filed an administrative motion adjust the briefing schedule with respect to their motion to dismiss. Motion, ECF No. 20. The reason for this request is that they had trouble serving Plaintiff with the motion, but they have done so now. Accordingly, they request that Plaintiff have until December 27, 2011 to file an opposition to the motion to dismiss, and that they have until January 3, 2011 to file a reply to Plaintiff's opposition.

In light of the difficulties serving Defendant, the court believes that good cause exists to adjust the briefing deadlines and to continue the motion hearing. Plaintiff may file any opposition to the

<sup>1</sup> Citations are to the Electronic Case File ("ECF") with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

1 motion to dismiss by January 3, 2012, and Defendants may file any reply to Plaintiff's opposition by  
2 January 10, 2012. The hearing on Defendants' motion is continued to February 2, 2012 at 11:00  
3 a.m.

4 This disposes of ECF No. 20.

5 **IT IS SO ORDERED.**

6 Dated: December 23, 2011

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LAUREL BEELER  
United States Magistrate Judge

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