

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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LOUISE FRISCO,
Plaintiff,
vs.
MIDLAND CREDIT MANAGEMENT, INC.,
Defendant.

Case No.: C-11-03284-YGR

**ORDER REGARDING RESPONSE TO
DEFENDANT’S LETTER FOR LEAVE TO FILE
RENEWED MOTION FOR SUMMARY
JUDGMENT**

United States District Court
Northern District of California

On May 8, 2012, Defendant filed a letter with the Court pursuant to its Standing Order in Civil Cases seeking leave to file a renewed motion for summary judgment. (Dkt. No. 47.) Plaintiff filed a response on May 16, 2012. (Dkt. No. 49.) The Court has reviewed the parties’ letters and in light of the fact that the issues on Defendant’s renewed summary judgment motion are substantially the same as the previous motion, the Court will not hold a pre-filing conference regarding the renewed motion.

With respect to timing of the renewed motion, Defendant may file its summary judgment motion when discovery closes on July 9, 2012. The previous summary judgment motion was denied to allow Plaintiff to seek additional discovery relevant to the issue of the “debt.” Plaintiff has identified specific discovery that she currently seeks to that end and should be allowed to complete that discovery. The Court wishes to avoid another opposition brought under Fed. R. Civ. P. 56(d)(2) if it were to allow the motion to be filed immediately.

IT IS SO ORDERED.

Dated: May 18, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE