

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SARA VITERI-BUTLER,

Plaintiff,

No. C 12-2651 PJH

v.

**ORDER**UNIVERSITY OF CALIFORNIA,  
HASTINGS COLLEGE OF THE LAW,  
et al.,Defendants.  

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Defendant's motion for summary judgment came on for hearing before this court on January 22, 2014. Plaintiff Sara Viteri-Butler appeared by her counsel Spencer Smith and Dow Patten, and defendant University of California, Hastings College of the Law ("Hastings"), appeared by its counsel Michael Vartain. At the hearing, the court ordered as follows:

1. No later than January 29, 2014, plaintiff shall file a third amended complaint correcting the errors noted by the court at the hearing, and appending copies of all administrative charge(s) and right-to-sue letter(s) issued by the EEOC and/or DFEH.

2. Plaintiff's Rule 56(d) motion is DENIED.

3. The record remains open so that the parties can file supplemental briefs as follows and as directed by the court during the hearing:

(a) No later than February 12, 2014, Hastings shall file a motion for summary judgment, not to exceed five pages, on the ERISA cause of action.

(b) No later than February 26, 2014, plaintiff shall file a combined supplemental response to Hastings' original motion for summary judgment, not to exceed

1 ten pages, and incorporating the additional discovery; and response to Hastings' motion  
2 regarding the ERISA claim, not to exceed five pages.

3 (c) No later than March 5, 2014, Hastings shall file a reply to plaintiff's  
4 supplemental opposition, not to exceed ten pages.

5 4. Plaintiff's motion for summary judgment as to the affirmative defenses is  
6 taken under submission, pending the ruling on Hastings' motion.

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8 **IT IS SO ORDERED.**

9 Dated: January 23, 2014.



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PHYLLIS J. HAMILTON  
United States District Judge