

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 ACP, INC.,  
4 Plaintiff,  
5 v.  
6 SKYPATROL, LLC, et al.,  
7 Defendants.  
8

Case No. 13-cv-01572-PJH

**ORDER GRANTING ADMINISTRATIVE  
MOTION TO REQUEST CASE  
MANAGEMENT CONFERENCE**

Re: Dkt. No. 129

9 Before the court is plaintiff's ACP, Inc.'s administrative motion to request a case  
10 management conference ("CMC"). See Dkt. 129. ACP reports that it has been unable to  
11 take the deposition of a key witness, defendant Gordon Howard's CEO Stan Schwarz,  
12 due to Schwarz's health problems. This has "prohibited fact discovery from being  
13 completed," and disrupted the case management schedule such that the current  
14 deadlines are unworkable "in light of the delay and uncertainty regarding Mr. Schwarz's  
15 availability." Id. Although defendants Gordon Howard and Skypatrol were permitted to  
16 proceed with a limited deposition of Schwarz on March 3, 2016, Dkt. 132, ACP was  
17 unable to attend as it was afforded only a few days' notice. Gordon Howard does not  
18 oppose the request for a CMC, see Dkt. 130; Skypatrol has not responded.

19 Good cause appearing, the court hereby GRANTS ACP's motion and sets a CMC  
20 for March 16, 2017, at 2:00 p.m. in Courtroom 3, 3rd Floor, Federal Courthouse, 1301  
21 Clay Street, Oakland, California. The parties shall submit a case management statement  
22 containing their proposals as to reasonable modifications to the pretrial schedule by  
23 Thursday, March 9.

24 **IT IS SO ORDERED.**

25 Dated: March 6, 2017



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27 PHYLLIS J. HAMILTON  
United States District Judge  
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