

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ARCHIBALD CUNNINGHAM,

No. C 14-03033 JSW

Plaintiff,

**ORDER RESCHEDULING
HEARING DATES AND
EXTENDING BRIEFING
SCHEDULES**

v.

MARIA SCHOPP, et al.,

Defendants.

On July 2, 2014, Plaintiff filed the Complaint in this case. (Docket No. 1.) On October 29, 2014, shortly before the deadline to serve the Defendants, set by Federal Rule of Civil Procedure 4(m), expired, Plaintiff purportedly served a number of the defendants who had not been served.

On November 4, 2014, Plaintiff filed a motion for leave to file an amended complaint, which is set for a hearing date on December 19, 2014. The deadline to oppose that motion was November 18, 2014. *See* N.D. Civ. L.R. 7-3(a). None of the named Defendants have opposed Plaintiff's motion for leave to file an amended complaint, however it is not clear that the Judicial Defendants have been served with that motion. Accordingly, the Court **HEREBY EXTENDS** the deadline by which the Defendants may oppose that motion to December 3, 2014, and extends the deadline by which Plaintiff may file a reply to December 10, 2014. The Court also **CONTINUES** the hearing on that motion from December 19, 2014 to January 16, 2015 at 9:00 a.m., for the reasons set forth below.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


On November 18, 2014, the Judicial Defendants filed a motion to quash service and to dismiss Plaintiff’s original complaint, which is noticed for hearing on January 23, 2015. **The Judicial Defendants’ motion exceeds the Court’s standing orders regarding page limitations for motions by five pages. (See Standing Civil Orders ¶ 7.)** Instead of striking the motion as non-conforming, in the interests of moving this litigation forward, the Court will grant Plaintiff an additional five pages to oppose Defendants’ motion. However, Defendants’ reply brief shall be limited to fifteen pages.

In light of the upcoming Thanksgiving holiday, the Court EXTENDS the briefing schedule on that motion as follows: Plaintiffs’ opposition brief shall be due on December 12, 2014, and Defendants’ reply shall be due on December 19, 2014. The Court also ADVANCES that hearing from January 23, 2015 to January 16, 2015, because January 23, 2015 is not an available date for cases ending in terminal digits 1 and 2, and this case is related to a case ending in terminal digit 2.

If the Court determines that either motion can be resolved on the papers, it shall notify the parties in advance of the hearing date.

IT IS SO ORDERED.

Dated: November 19, 2014



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE