

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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MERRILL LYNCH, PIERCE, FENNER &  
SMITH INCORPORATED,

Plaintiff,

v.

ROBERT J. ALTEMUS,  
Defendant.

Case No. 15-cv-5318-PJH

**ORDER RE MOTION TO CONFIRM  
ARBITRATION AWARD**

Before the court is the motion to confirm arbitration award, filed by Merrill Lynch, Pierce, Fenner, and Smith Inc. ("Merrill Lynch"). Before ruling on the motion, the court must ensure that the opposing party has had an opportunity to respond to the motion. Thus, the court orders as follows.

First, Merrill Lynch must file a proof of service of the summons, the motion and any accompanying exhibits, and a copy of this order. Merrill Lynch shall have until **December 30, 2015** to file the proof of service.

After the motion is served, defendant Robert Altemus shall have until **January 20, 2016** to file a response to the motion. Merrill Lynch shall then have until **January 27, 2016** to file a reply.

The court shall conduct a hearing on the motion to confirm arbitration award on **February 10, 2016, at 9:00am.**

**IT IS SO ORDERED.**

Dated: December 14, 2015



PHYLLIS J. HAMILTON  
United States District Judge