

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

TAMALPAIS UNION HIGH SCHOOL
DISTRICT,

Plaintiff,

v.

D. W.,

Defendant.

Case No.16-cv-04350-HSG

**ORDER STRIKING DEFENDANT'S
FIRST MOTION FOR ATTORNEY'S
FEES; GRANTING PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
CALENDAR CLARIFICATION**

Re: Dkt. Nos. 57, 64

On February 27, 2018, Defendant D.W. filed a motion for attorney's fees. Dkt No. 57. After being directed by the Clerk on February 28, 2018 to re-notice the motion, Dkt. No. 58, Defendant instead filed an amended motion on March 3, 2018, Dkt. No. 59. The Clerk accordingly issued an electronic filing error on March 5, 2018 directing Defendant to refile the motion in its entirety. Defendant did not file his amended motion for attorney's fees until March 21, 2018. Dkt. No. 63. Plaintiff Tamalpais Union High School District, in the meantime, had already filed an opposition to Defendant's first motion for attorney's fees on March 18, 2018. Dkt. No. 61. Due to its confusion as to which motion was operative, Plaintiff also filed an opposition to Defendant's amended motion on April 11, 2018. Dkt. No. 65. Defendant has not filed a reply brief in support of either motion.

In order to provide clarity as to which motion is properly before this Court, the Court **STRIKES** Defendant's first motion for attorney's fees filed on February 27, 2018, Dkt. No. 57, as well as Plaintiff's opposition to that motion, Dkt. No. 61. Defendant's amended motion for attorney's fees, filed on March 21, 2018, is the operative motion. The Court further **GRANTS** Plaintiff's administrative motion for a calendar clarification. Dkt. No. 64. Accordingly, April 11, 2018 is deemed to be the deadline for Plaintiff's opposition to the amended motion, which

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

Plaintiff timely filed, and Defendant must submit a reply brief in support of the amended motion no later than April 18, 2018.

IT IS SO ORDERED.

Dated: 4/12/2018


HAYWOOD S. GILLIAM, JR.
United States District Judge