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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID GUERRA,
Plaintiff,
v.
LINEAR TECHNOLOGY CORP., et al.,
Defendants.

Case No. 16-cv-05514-PJH

**ORDER DENYING MOTION TO
SHORTEN TIME**

Re: Dkt. No. 8

Before the court is plaintiff David Guerra's motion to shorten time and set an expedited briefing and hearing schedule for his motion for a preliminary injunction. Having read the parties' papers, and good cause appearing, the court hereby DENIES the motion. Plaintiff has not shown the required diligence in seeking relief to justify briefing and argument on an emergency schedule. The transaction complained of was announced in July and the challenged proxy statement was disclosed at least as of September 16. Nor has plaintiff demonstrated the required substantial prejudice necessary under Local Rule 6-3(a).

Accordingly, the hearing date of October 12, 2016 is hereby VACATED. Plaintiff may re-notice a hearing date in accordance with 35-day timeframe of the Local Rules.

IT IS SO ORDERED.

Dated: October 4, 2016



PHYLLIS J. HAMILTON
United States District Judge