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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN DANIEL QUILLINAN,
Plaintiff,
v.
RUSSELL AINSWORTH, et al.,
Defendants.

Case No. [4:17-cv-00077-KAW](#)

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
REQUEST FOR A CONTINUANCE**

Re: Dkt. No. 40

On July 10, 2017, Defendants Russell Ainsworth, Daniel Bornstein, Joel Feldman, Bruce Goldstone, Hayden Manager LLC, Michael Kanovitz, Jon Loevy, Dianne Murphy, Ashley Peterson, SRG 414 Lessor LLC, SRG Manager LLC, Richard Silverstein, Silverstein Realty Group LLC, Andrew Thayer filed a motion to dismiss. (Dkt. No. 35.) Defendants, however, did not notice the motion for the proper hearing date under the Local Rules, so the date was continued. (Dkt. No. 36.) Plaintiff did not realize that the briefing schedule was not affected, and failed to file a timely opposition, which was due on July 24, 2017. (Dkt. No. 40.) On July 26, 2017, Plaintiff filed a request for a fifteen-day extension pursuant to Civil Local Rule 7-11. Defendants did not file an opposition.

As an initial matter, Plaintiff does not appear to have first sought to obtain a stipulation with opposing counsel for an extension of time, as required by the Civil Local Rules. *See* Civil L.R. 7-11(a). Plaintiff is advised that, going forward, he must familiarize himself with the Civil Local Rules, and comply with same.

Notwithstanding, since Plaintiff is proceeding pro se, the Court will give him an extension, but not the fifteen days requested, because the Court must have the briefing well in advance of the August 31, 2017 hearing date. Accordingly, Plaintiff's request is GRANTED IN PART AND

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DENIED IN PART, such that Plaintiff shall file his opposition on or before August 7, 2017.
Defendants' reply shall be filed on or before August 14, 2017.

IT IS SO ORDERED.

Dated: August 1, 2017


KANDIS A. WESTMORE
United States Magistrate Judge