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***E-Filed 6/30/10 ***

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AGNES SUEVER, et al.,

No. C 03-00156 RS

Plaintiff,

ORDER RE HEARINGS

v.

KATHLEEN CONNELL, et al.,

Defendants.

_____ /
Plaintiffs have informally advised the Court that they would like to dismiss this action without prejudice, and that they intend to bring a motion to do so. Their time to oppose defendants' motion for summary judgment and to file their own cross-motion for summary judgment under the parties' stipulated briefing schedule has long since expired. Similarly, plaintiffs' deadline under the Local Rules for filing an opposition to defendants' motion for a protective order has passed.

Defendants have filed a motion for administrative relief under Civil Local Rule 7-11 seeking to set July 19, 2010 as the hearing date for their summary judgment motion, which they wish to have decided on the merits.¹ Plaintiffs' time for responding to the Rule 7-11 motion has also expired.

¹ The motion became necessary because defendants noticed the motion for a different date than called for by the parties' prior stipulation. The parties have not been able to reach a further stipulation to resolve the discrepancy.

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Good cause appearing, it is hereby ordered that:

1. Defendants' motion for a protective order, presently set for hearing on July 9, 2010, shall be submitted for decision without oral argument, pursuant to Civil Local Rule 7-1(b).

2. Defendants' motion for summary judgment shall be set for calendaring purposes on July 19, 2010, but shall also be submitted for decision without oral argument, pursuant to Civil Local Rule 7-1(b).

IT IS SO ORDERED.

DATED: 6/30/10



RICHARD SEEBORG
United States District Judge