

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

E-FILED 7/17/06

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

GOOGLE INC.,

NO. C 03-5340 JF (RS)

Plaintiff,

**ORDER DENYING MOTION FOR
ORDER SHORTENING TIME**

v.

AMERICAN BLIND & WALLPAPER FACTORY,
INC.,

Defendant.

Before the Court is defendant's motion for an order shortening time filed July 13, 2006. The request for shortened time is premised on the mistaken notion that the pending discovery cut off will render the underlying motion moot if it is not heard before that cut off. Pursuant to Civil Local Rule 26-2, motions to compel as to outstanding discovery requests are timely if filed up to seven days after the discovery cut off. The passing of the discovery cut off does not preclude the completion of any discovery that may be ordered as the result of the Court granting a motion to compel that has been timely filed under that rule. Given that the Court recently denied a similar request for shortened time filed by plaintiff for this same reason, defendant's motion for an order shortening time is DENIED.

IT IS SO ORDERED.

Dated: 7/17/06



RICHARD SEEBORG
United States Magistrate Judge

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

2 Ethan B. Andelman andelmane@howrey.com, cranmerp@howrey.com

3 Dawn Beery dbeery@kelleydrye.com

4 Susan Jean Greenspon sgreenspon@kelleydrye.com, cplater@kelleydrye.com;
5 vallen@kelleydrye.com; sdunlap@kelleydrye.com

6 Ravind Singh Grewal rsg@kvn.com

7 Klaus Hemingway Hamm khamm@kvn.com, efiling@kvn.com; wik@kvn.com

8 Ajay Krishnan akrishnan@kvn.com, efiling@kvn.com; rthomas@kvn.com

9 Mark A. Lemley mlemlay@kvn.com, srosen@kvn.com

10 Michael H. Page mhp@kvn.com, efiling@kvn.com; sjr@kvn.com; nsn@kvn.com

11 Robert Nathan Phillips phillipsr@howrey.com, cranmerp@howrey.com

12 David A. Rammelt drammelt@kelleydrye.com, sdunlap@kelleydrye.com

13
14 Counsel are responsible for distributing copies of this document to co-counsel who have not
15 registered for e-filing under the Court's CM/ECF program.

16 **Dated: 7/17/06**

Chambers of Judge Richard Seeborg

17
18 **By: _____ /s/ BAK**

19
20
21
22
23
24
25
26
27
28