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NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

EQUILON ENTERPRISES LLC, a Delaware Corporation, d/b/a SHELL OIL PRODUCTS US,

Plaintiff,

v.

MEHDI SHAHBAZI, et al.,

Defendants.

Case Number C 05-5102 JF

ORDER¹ GRANTING DEFENDANT’S MOTION FOR AN EXTENSION OF TIME

[re: docket no. 59]

Defendant Mehdi Shahbazi (“Shahbazi”), proceeding *pro se*, moves for an extension of time to respond to Plaintiff Equilon Enterprises LLC’s (“Equilon”) motion for leave to file a first amended complaint and motion for a preliminary injunction, both scheduled for hearing on August 11, 2006. Equilon opposes the motion. The Court has considered this matter without oral argument, pursuant to Civil Local Rule 7-1(b).

¹ This disposition is not designated for publication and may not be cited.

1 Equilon's additional evidence and arguments do not persuade the Court that Equilon
2 would suffer irreparable injury if the motions were continued for several weeks. Moreover, the
3 recent developments, including Shahbazi's continued protests, do not address this Court's
4 previous determination serious questions on the merits remain as to whether provisions in both
5 the Marina RSA and the Marina lease were both reasonable and of material importance to the
6 franchise relationship. Accordingly, considering that Shahbazi is proceeding *pro se*, the Court, in
7 its discretion, will grant Shahbazi's motion for an extension of time. The Court will reschedule
8 the hearing date for Equilon's motions to September 15, 2006 at 9:00 a.m. Shahbazi may file
9 opposition to Equilon's motions not later than September 1, 2006, and Equilon may reply not
10 later than September 8, 2006.²

11 IT IS SO ORDERED.

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14 DATED: July 27, 2006

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18 JEREMY FOGEL
United States District Judge

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² Additionally, as Equilon requested, the Court clarifies that Shahbazi's deadline to respond is not depending on Equilon providing Shahbazi with any transcripts.

1 This Order has been served upon the following persons:

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