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

John Rezner,

NO. C 06-02064 JW

Plaintiff,

**ORDER GRANTING MOTION FOR  
CLARIFICATION**

v.

Bayerische Hypo-Und Vereinsbank AG,  
et al.,

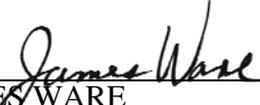
Defendants.

Presently before the Court is Plaintiff's letter requesting clarification of the Court's January 29, 2009 Order.<sup>1</sup> (Docket Item No. 157.) In the January 29 Order, the Court stated that Plaintiff would receive 35 pages total for his opening and reply briefs in support of his anticipated motion for partial summary judgment. (See Docket Item No. 150 at 3.) Plaintiff seeks clarification that the Court did not intend to limit Plaintiff to 35 total pages for both briefs.

In the January 29 Order, the Court intended to limit only Plaintiff's opening brief to 35 pages. Accordingly, the parties briefing shall adhere to the following page limits:

- (1) Plaintiff's opening brief shall not exceed **35 pages** in length.
- (2) Defendants' opposition brief shall not exceed **35 pages** in length.
- (3) Plaintiff's reply brief shall not exceed **25 pages** in length.

Dated: February 6, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

<sup>1</sup> It is the Court's practice to respond only to properly filed motions under the applicable Civil Local Rules. Although Plaintiff's request was filed in the form of a letter, the Court construes Plaintiff's letter as a motion for administrative relief under Civil Local Rule 7-11.

United States District Court  
For the Northern District of California

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**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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William M. Lukens wlukens@lukenslaw.com

**Dated: February 6, 2009**

**Richard W. Wieking, Clerk**

**By:           /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**