

E-Filed 3/4/2011

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11 REZA NAGAH,

12 Plaintiff,

13 vs.

14 CALIFORNIA EMPLOYMENT
15 DEVELOPMENT DEPARTMENT, *et al.*,

16 Defendants.
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Case No. 5:07-cv-06268-JF (PSG)

ORDER¹ AMENDING BRIEFING
SCHEDULE, VACATING HEARING
DATE, AND GRANTING
PLAINTIFF'S MOTION TO FILE
EXCESS PAGES

[Re: Docket Nos. 205, 206]

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20 Plaintiff Reza Nagahi ("Nagahi") requests that his motion for summary judgment be
21 heard on shortened time pursuant to Civ. L.R. 6-3. Nagahi filed notice of his intent to move for
22 summary judgment on February 18, 2011.² However, he did not file a brief in support of the
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25 ¹ This disposition is not designated for publication in the official reports.

26 ² Notice of Cross-Motion for Summary Judgment, Dkt. 204. In addition to filing notice
27 on February 18, 2011, Nagahi filed a proposed order. Proposed Order Granting Plaintiff's
28 Cross-Motion for Summary Judgment, Dkt. 204-1.

1 motion until February 23, 2011.³ Currently, the cross-motions for summary judgment are set for
2 hearing on March 25, 2011. Defendants oppose Nagahi's request, claiming that he has taken
3 advantage of the intervening time to craft his arguments in response to those made in
4 Defendants' motion for summary judgment. Moreover, Defendants contend that Nagahi's
5 untimely filing has deprived them of adequate time to prepare opposition to Nagahi's motion.

6 In light of the apparent burden that would be placed on Defendants if they were required
7 to oppose Nagahi's motion in the time remaining before March 25, 2011, the Court will amend
8 the briefing schedule as to Nagahi's motion for summary judgment and vacate the hearing date.
9 In addition, the Court concludes that Nagahi's motion for leave to file excess pages in support of
10 his motion for summary judgment is well-taken.

11 **ORDER**

12 For the reasons set forth above, Plaintiff's motion for shortened time is TERMINATED
13 as moot. The motion for administrative relief from page limitation is GRANTED, and the Court
14 will adopt the following schedule:

15 Friday, March 18, 2011	Last day for Defendants to file and serve 16 opposition to Plaintiff's motion for summary judgment
17 Friday, March 25, 2011	Last day for Plaintiff to file and serve a reply in 18 support of his motion for summary judgment
19 Friday, April 15, 2011	Hearing date for the parties' cross-motions for summary judgment ⁴

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23 ³ Plaintiff's Memorandum of Points and Authorities in Support of Cross-Motion for
24 Summary Judgment, Dkt. 207.

25 ⁴ Although the hearing date for the parties' cross-motions for summary judgment will be
26 moved to April 15, 2011, the briefing schedule as to Defendants' motion for summary judgment
27 will remain in place. Opposition to Defendants' motion is due not later than March 5, 2011. *See*
28 *Order Granting Plaintiff's Ex Parte Motion to Extend Time to Oppose Defendants' Motion for*
Summary Judgment, Dkt. 212. Defendants may file a brief in reply not later than March 11,
2011.

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IT IS SO ORDERED.

DATED: March 4, 2011



JEREMY FOGEL
United States District Judge