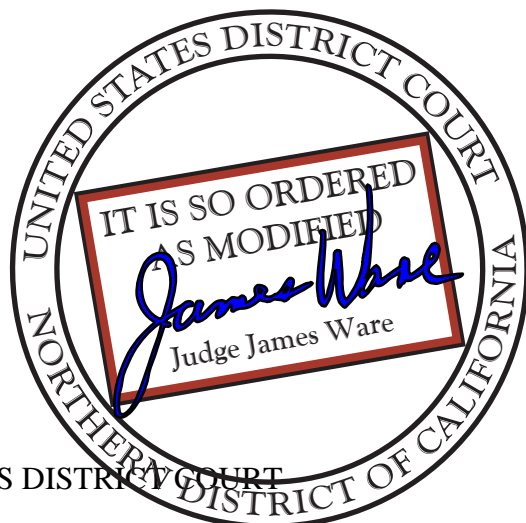


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

|   |
|---|
| <p><b>ROSARIO MARINELLO,</b></p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p><b>CALIFORNIA DEPARTMENT OF<br/>CORRECTIONS AND<br/>REHABILITATION,</b></p> <p style="text-align: right;">Defendant.</p> |
|---|

Case No. 08-0664-JW

*[Proposed]* **ORDER GRANTING  
 STIPULATED REQUEST TO  
 CONTINUE LAST HEARING DATE  
 FOR DISPOSITIVE MOTIONS**

On June 15, 2009, this Court issued a minute order setting an anticipated date for hearing Defendant’s Motion for Summary Judgment on October 26, 2009, at 9 a.m. On June 16, 2009, this Court issued a further order that the last date for hearing dispositive motions is October 26, 2009 at 9 a.m.

After reviewing the Stipulated Request to Continue Last Hearing Date for Dispositive Motions, and supporting declaration thereof, the Court ORDERS as follow:

(1) The last date for hearing dispositive motions is continued from October 26, 2009, 9 a.m., to **November 16, 2009 at 9 a.m.** the parties shall file their motions in accordance with the Civil Local Rules of Court.

(2) The anticipated date for Defendant’s Motion for Summary Judgment previously

1 set by the Court for October 26, 2009, at 9 a.m., is continued to **November 16, 2009 at 9 a.m.**

2 (3) The Case Management Conference set for October 26, 2009, at 10 a.m. is  
3 continued to **November 16, 2009 at 10 am.**The parties shall file a Joint Case Management  
4 Statement on or before **November 6, 2009.** The parties' Statement shall address, among other  
5 things, the parties' settlement efforts and plan for proceeding with the remainder of the case.  
6

7 This is the parties' final continuance.

8  
9 Dated: October 2, 2009

  
Hon. James Ware  
United States District Judge

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

2 David Pai, David.Pai@doj.ca.gov

3  
4 Rosario Marinello  
5 266 Reservation Rd. #f-232  
6 Marina, CA 93933

7 **Dated: October 2, 2009**

**Richard W. Wieking, Clerk**

8 By:           /s/ JW Chambers            
9 **Elizabeth Garcia**  
10 **Courtroom Deputy**

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28