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

Gary H. Kidgell,

NO. C 08-03396 JW

Plaintiff,

**ORDER CONTINUING PRELIMINARY
PRETRIAL CONFERENCE**

v.

County of Santa Clara, et al.,

Defendants.

This case is scheduled for a Preliminary Pretrial Conference on June 21, 2010. On June 11, 2010, Plaintiff filed a Motion seeking a sixty-day continuance of the Preliminary Pretrial Conference in order to give him additional time to secure counsel.¹ Defendants oppose Plaintiff's Motion, but indicate that they would be amenable to a shorter continuance of not more than twenty days.² The Court finds that a sixty-day continuance is unnecessary, especially in light of Plaintiff's representation that he has retained counsel who is currently in the process of seeking admission pro hac vice. (Motion for Continuance at 2.) However, since Plaintiff has not yet completed the process of securing counsel, the Court finds good cause to provide him with a brief extension of time.

Accordingly, the Court GRANTS Plaintiff's Motion for Continuance and orders as follows:

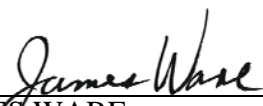
¹ (Plaintiff's Motion to Request a Continuance of the Preliminary Pretrial Conference, hereafter, "Motion for Continuance," Docket Item No. 90.)

² (Defendants' Opposition to Plaintiff's Motion to Continue the Preliminary Pretrial Conference at 3, Docket Item No. 93.)

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- (1) On **June 28, 2010 at 10 a.m.**, the parties shall appear for a Preliminary Pretrial Conference. If Plaintiff has secured counsel by that time, counsel shall appear with Plaintiff at the Conference.
- (2) On or before **June 22, 2010**, Plaintiff shall submit a Preliminary Pretrial Conference Statement. Since Defendants have already submitted their Statement, it is not necessary for them to submit another Statement jointly with Plaintiff. Plaintiff's Statement shall include, among other things, a proposed trial schedule.

Dated: June 17, 2010



JAMES WARE
United States District Judge

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

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4 Rima Harbans Singh rima.singh@cco.sccgov.org

5 Gary Howard Kidgell
6 228 Spruce Street
7 Wichita, KS 67214

8 **Dated: June 17, 2010**

Richard W. Wieking, Clerk

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

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