

United States District Court
For the Northern District of California

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E-filed on: 11/24/2008

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

CHING YUAN CHIEN,
Plaintiff,
v.
MICHAEL CHERTOFF, Secretary,
Department of Homeland Security, et. al.,
Defendant.

No. C-08-03631 RMW
SCHEDULING ORDER
[Re Docket No. 17]

On October 27, 2008, the court ordered the parties to meet and confer to select a date for a case management conference. Docket No. 13. The court's order contemplated setting a briefing schedule on the plaintiff's motion (and any future cross-motion) at that time. The parties agreed to have a case management conference on January 16, 2009. Plaintiff has now filed an *ex parte* application to schedule a hearing on the motion for summary judgment before January 16.

It appears that all counsel are available January 16, 2009. Plaintiff's motion for summary judgment will therefore be heard on that date at 9:00 a.m. Any opposition and cross-motion from the government is due December 12. Any reply from Plaintiff is due January 2, 2009.

DATED: 11/20/2008


RONALD M. WHYTE
United States District Judge

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TSF

