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

Susan Rene Jones,

Plaintiff,

v.

Metropolitan Life Insurance Co., et al.,

Defendants.

NO. C 08-03971 JW

**ORDER VACATING CASE
MANAGEMENT CONFERENCE;
SETTING HEARING AND BRIEFING
SCHEDULE FOR MOTIONS**

On October 2, 2009, the Court granted Defendant’s Motion for a Case Management Conference, which the Court scheduled for October 26, 2009. (See Docket Item No. 37.) The parties have filed separate Case Management Conference Statements. (See Docket Item Nos. 38, 39.) Upon review of the parties’ submissions, the Court finds that the issues raised are not amenable to resolution in a Case Management Conference. Instead, the legal issues raised by the parties in their respective Statements,¹ some of which may be dispositive, must be brought properly before the Court by filing motions.

Thus, the Court finds good cause to VACATE the Case Management Conference and invites the parties to file cross-motions for summary judgment or any other appropriate dispositive motions. The Court previously set December 7, 2009 as the hearing date for the parties’ dispositive motions.

¹ The Court notes that the parties’ Statements, in particular Plaintiff’s Statement which was twenty-four pages long, contained substantial legal argument which was more appropriate for a brief than a Case Management Statement.


1 However, in light of the Court's calendar and the substantial legal issues involved, the Court sets the
2 following schedule:

3 (1) On **February 1, 2010 at 9 a.m.**, the parties shall appear for a hearing on their
4 anticipated motions. The parties shall notice their motions and file their briefs in accordance with
5 the Civil Local Rules of the Court.

6 (2) All briefing on dispositive motions shall be completed by **January 11, 2010**.

7 (3) In its Order addressing the parties' anticipated motions, the Court will set a Further
8 Case Management Conference, if necessary.

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10 Dated: October 21, 2009



JAMES WARE
United States District Judge

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

2 Cari Ann Cohorn cari.cohorn@sdma.com
3 Rebecca A. Hull rebecca.hull@sdma.com
4 Robert Burton Nichols nichols@nicholslawgroup.com

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6 **Dated: October 21, 2009**

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy

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