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United States District Court
For the Northern District of California

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

Therese Arizmendi,

NO. C 08-05163 JW

Plaintiff,

**ORDER VACATING PRELIMINARY
PRETRIAL CONFERENCE; EXTENDING
DEADLINE TO FILE DISPOSITIVE
MOTIONS**

v.

City of San Jose, et al.,

Defendants.

_____ /
This case is scheduled for a Preliminary Pretrial Conference on February 7, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Preliminary Pretrial Conference Statement. (See Docket Item No. 129.) In the Joint Statement, Defendants request an extension of the deadline to file dispositive motions so Defendants may file a Renewed Motion for Summary Judgment to address Plaintiff's claims not addressed in the prior Motion for Summary Judgment. (See Docket Item No. 105.)


Upon review, the Court finds good cause to extend the deadline to file dispositive motions to **June 27, 2011.**¹ In its December 15 Order granting in part and denying in part Defendants' Motion for Summary Judgment, the Court invited Plaintiff to amend her pleadings prior to January 10, 2011 consistent with the Order. As it appears that Plaintiff has declined to so amend, the original Complaint remains the operative complaint in regards to any dispositive motions and claims dismissed shall not be litigated at trial.

¹ Defendants shall file and notice their Motion in accordance with the Civil Local Rules and the Court's calendar.

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Further, in light of the extension, the Court finds that a Preliminary Pretrial Conference would be premature at this time. Accordingly, the Court VACATES the February 7 Conference. The Court will set a new Preliminary Pretrial Conference date in its Order addressing Defendant's Renewed Motion for Summary Judgment, if necessary.

Dated: February 2, 2011



JAMES WARE
United States District Chief Judge

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

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7 **Dated: February 2, 2011**

Richard W. Wieking, Clerk

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

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