

United States District Court
For the Northern District of California

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E-Filed 03/22/2010

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

INSOOK KIM, individually and as
Successor in Interest for AZIZ R. JAMES,
Decedent,

No. C 09-00025 RS

Plaintiff,

**ORDER GRANTING MOTION TO
SHORTEN TIME, SETTING
BRIEFING SCHEDULE, AND
VACATING HEARING**

v.

CITY OF SANTA CLARA; SCOTT
FITZGERALD; TROY JOHNSON; and
DOES 1 to 50, inclusive,

Defendants.

In this Section 1983 case, plaintiff Insook Kim has filed a motion to amend her complaint pursuant to Federal Rule of Civil Procedure 15(a). Kim seeks to add two additional Santa Clara Police Department officers, Lieutenant Phil Cooke and Captain Diana Bishop, as defendants; and also to drop her fifth and sixth claims for relief. Simultaneously with the motion to amend, Kim filed the instant motion to shorten time, contending that she was entitled to relief from Civil Local Rule 7-2(a)'s 35-day hearing requirement because a potentially relevant statute of limitations would expire on April 5, 2010, and the earliest hearing date available to her under the 35-day rule was

No. C 09-00025 RS
ORDER

1 April 22, 2010. As an alternative, Kim requests an early hearing date of April 1, 2010. Defendants
2 oppose the motion to shorten time, contending it was promulgated purely for harassment purposes.

3 The Court has determined that the underlying motion to amend is capable of being
4 determined without oral argument, pursuant to Civil Local Rule 7-1(b). Accordingly, the motion to
5 shorten time will be granted, but no hearing will be held. The parties shall comply with the
6 following briefing schedule:

- 7 • Plaintiff's Motion to Amend: filed March 18, 2010
- 8 • Defendants' Opposition to Motion to Amend: due March 29, 2010
- 9 • Plaintiff's Reply to Motion to Amend: due April 1, 2010

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IT IS SO ORDERED.

Dated: 03/22/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE