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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

PETER B., INC., et al., Plaintiffs, v. REID P. SCHANTZ, et al., Defendants.	Case No.: C 09-0360 JW (PVT) **INTERIM ORDER TO THE OMNI DEFENDANTS TO SHOW CAUSE WHY THEIR MOTION TO COMPEL EXPERT DEPOSITIONS IS TIMELY**

On October 1, 2010, Defendants Omni Financial, LLC, Cura Financial, LLC, Martin Boone and Christopher Johnson (the "Omni Defendants") filed a Motion to Shorten Time for Hearing of Motion to Compel Expert Depositions, with the proposed Motion to Compel Expert Depositions attached as an exhibit. Having reviewed the papers submitted by the parties, the court finds it appropriate to issue this interim order. Based on the moving papers and the file herein,

IT IS HEREBY ORDERED that, no later than October 6, 2010, the Omni Defendants' shall file a declaration showing cause, if any, why their motion to compel expert depositions is timely. District Judge Ware's Preliminary Pretrial Conference Scheduling Order (Docket No. 76), set the discovery cutoff for "all discovery" as May 3, 2010. Pursuant to Civil Local Rule 37-3, no motions to compel may be filed more than 7 days after that date. Thus, absent relief of court, any motion to compel should have been filed no later than May 10, 2010.

Dated: *10/4/10*

Patricia V. Trumbull

PATRICIA V. TRUMBULL
United States Magistrate Judge

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