

1 **\*\* E-filed July 6, 2010 \*\***

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7 NOT FOR CITATION  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 KEVIN EMBRY, an individual, on behalf of  
12 himself, the general public and those  
13 similarly situated,

14 Plaintiff,

15 v.

16 ACER AMERICA CORPORATION; and  
17 DOES 1-50,

18 Defendants.

No. C09-01808 JW (HRL)

**ORDER GRANTING PLAINTIFF'S  
MOTION TO SHORTEN TIME FOR  
HEARING OF PLAINTIFF'S MOTION  
TO COMPEL DEPOSITION  
ATTENDANCE**

**[Re: Docket No. 64]**

19 Plaintiff Kevin Embry ("Embry") moves to shorten the time for hearing his motion to  
20 compel the deposition of defendant Acer America Corporation's ("Acer") FRCP 30(b)(6) designee  
21 to support his class certification motion. (Docket Nos. 62 & 64.) Embry's motion to compel is  
22 currently noticed to be heard on Tuesday, August 3, but because the deadline to file his class  
23 certification motion is August 2, this Court finds good cause to hear it on an earlier date.

24 The motion will be heard on **Tuesday, July 20, 2010 at 10:00 a.m.** in Courtroom 2, at the  
25 United States Courthouse, 280 South First Street in San Jose, California. Any opposition shall be  
26 served and filed by **Monday, July 12, 2010 at 5:00 p.m.** and any reply shall be served and filed by  
27 **Wednesday, July 14, 2010 at 5:00 p.m.**  
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**IT IS SO ORDERED.**

Dated: July 6, 2010

  
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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

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**C09-01808 JW (HRL) Notice will be electronically mailed to:**

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