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28***E-FILED 01-15-2010***

NOT FOR CITATION
 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

PIOTR J. GARDIAS,

No. C09-02090 HRL

Plaintiff,

v.

**ORDER (1) GRANTING PLAINTIFF'S
 MOTION FOR CONTINUANCE AND (2)
 VACATING PRETRIAL CONFERENCE
 AND TRIAL DATES**

THE CALIFORNIA STATE UNIVERSITY,
SAN JOSE STATE UNIVERSITY,

Defendant.

[Re: Docket No. 48]

There being no objection, plaintiff's request to continue the hearing on defendant's motion for summary judgment is granted. The hearing on defendant's motion is **continued to February 23, 2010, 10:00 a.m.** in Courtroom 2. Plaintiff's opposition is due by **February 2, 2010.**¹ Defendant's reply is due by **February 9, 2010**, and briefing will be deemed closed on that date. See Civ. L.R. 7-3(d).

The March 16, 2010 pretrial conference and March 22, 2010 trial dates are vacated and will be re-set, if needed, after defendant's motion is resolved.

SO ORDERED.

Dated: January 15, 2010



 HOWARD P. LLOYD
 UNITED STATES MAGISTRATE JUDGE

¹ On January 14, 2010, the court received what appears to be a partial opposition to defendant's motion for summary judgment. (Docket No. 51).

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5:09-cv-02090-HRL Notice has been electronically mailed to:
Mary Susan Cain-Simon: Mary.CainSimon@doj.ca.gov, ECFCoordinator@doj.ca.gov,
Leticia.MartinezCarter@doj.ca.gov
Counsel are responsible for distributing copies of this document to co-counsel who have not
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