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

Kristen Bailey, et al.,

NO. C 09-02239 JW

Plaintiffs,

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

v.

Excellence Learning Corporation,

Defendant.


_____ /

This case is scheduled for a Case Management Conference on November 2, 2009. In its October 2, 2009 Order Continuing Case Management Conference,¹ the Court ordered the parties to file a Joint Case Management Statement on or before October 23, 2009. To date, the parties have not filed a Joint Case Management Statement.

In light of the parties' failure to file a Statement as ordered, the Court continues the November 2 Case Management Conference to **November 16, 2009 at 10 a.m.** On or before **November 6, 2009**, the parties shall file a Joint Case Management Statement. The Statement shall include, among other things, a good faith discovery plan with a proposed date for the close of all discovery.

As it appears that the parties have ignored the Court's October 2 Order, failure to comply with the terms of this Order will result in appropriate sanctions.

Dated: October 27, 2009



JAMES WARE
United States District Judge

¹ (Docket Item No. 14.)

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

Margaret Jean Grover mgrover@hbblaw.com
Robert S. Nelson rnelson@nelsonlawgroup.net

Dated: October 27, 2009

Richard W. Wieking, Clerk

**By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy**