

E-Filed 10/19/2010

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

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12 THOMAS E. SEIDEL,
13 Plaintiff,
14 v.
15 UNITED STATES OF AMERICA,
16 Defendant.

Case Number 5:09-cv-04875-JF/HRL
ORDER GRANTING DEFENDANT'S
MOTION TO FILE LATE
OPPOSITION; DENYING
PLAINTIFF'S MOTION TO VACATE
HEARING; AND RESETTING
MOTIONS FOR HEARING ON
DECEMBER 3, 2010

[re docket entries 32, 33, 35]

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19 Defendant's motion for leave to file a late opposition to Seidel's motion to vacate the
20 hearing on the pending motion for summary judgment is GRANTED.

21 Plaintiff's motion to vacate the hearing on Defendant's motion for summary judgment is
22 DENIED.

23 Plaintiff's motion for leave to amend his pleading and Defendant's motion for summary
24 judgment are RESET for hearing on December 3, 2010, to be heard concurrently with Plaintiff's
25 motion for leave to join an additional party plaintiff.

26 IT IS SO ORDERED.

27 DATED: 10/19/2010

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 JEREMY FOGEL
 United States District Judge