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**\*E-FILED 07-20-2010\***

NOT FOR CITATION  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

PIOTR J. GARDIAS,

No. C09-05291 HRL

Plaintiff,

v.

THE CALIFORNIA STATE UNIVERSITY,  
SAN JOSE STATE UNIVERSITY,

**ORDER (1) GRANTING DEFENDANT'S  
REQUEST TO VACATE CURRENT  
CASE MANAGEMENT DEADLINES  
AND (2) CONTINUING HEARING ON  
PLAINTIFF'S MOTION FOR  
SANCTIONS**

Defendant.

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Defendant has moved to dismiss, or alternatively, to compel plaintiff to attend his deposition. That motion is set for an August 31, 2010 hearing. Defendant requests that current deadlines for filing dispositive motions (i.e., motions for summary judgment) be vacated. The court offers no opinion here as to the merits of defendant's pending motion to dismiss. Nevertheless, the court will vacate the current deadline for hearing summary judgment motions (August 31, 2010), as well as the dates for the final pretrial conference (October 12, 2010) and trial (October 18, 2010). All deadlines will be re-set, if appropriate, following the resolution of defendant's pending motion to dismiss.

Additionally, the hearing on plaintiff's Second Motion for Sanctions (Docket No. 32),

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noticed for August 24, 2010, is **continued to August 31, 2010, 10:00 a.m.** in Courtroom 2.

SO ORDERED.

Dated: July 20, 2010



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HOWARD R. LOTT  
UNITED STATES MAGISTRATE JUDGE

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5:09-cv-05291-HRL Notice has been electronically mailed to:  
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Leticia.MartinezCarter@doj.ca.gov  
Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.

5:09-cv-05291-HRL Notice mailed to:  
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