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

United States of America,

NO. C 09-05873 JW

Plaintiff,

**ORDER CONTINUING PRELIMINARY
PRETRIAL CONFERENCE**

v.

Cardi M. Prinzi, et al.,

Defendants.

This case is scheduled for a Preliminary Pretrial Conference on September 27, 2010. On September 20, 2010, the parties filed a Stipulated and [Proposed] Order Continuing Dates and Deadlines. (See Docket Item No. 22.)

In their Stipulation, the parties represent that they have a further ADR conference currently set for October 13, 2010. (See Docket Item No. 22.) In light of their ongoing settlement negotiations, the parties request the following extensions:

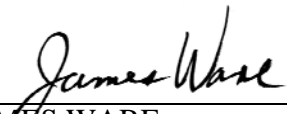
- (1) Continuance of the September 27, 2010 Preliminary Pretrial Conference until December 20, 2010.
- (2) Extension of the October 29, 2010 close of discovery until January 28, 2011.
- (3) Extension of the last day to file dispositive motions from December 13, 2010 until March 28, 2011.

Upon review, the Court finds good cause to continue the September 27 Preliminary Pretrial Conference until after the parties attend their further ADR conference. Accordingly, the Court

1 CONTINUES the September 27 Conference to **October 25, 2010 11 a.m.**¹ On or before **October**
2 **15, 2010**, the parties shall file a Joint Preliminary Pretrial Statement. The Statement shall include,
3 among other things, the parties' proposed trial schedule and an update on the parties' ADR efforts.

4 The Court, however, declines the parties' request to extend the deadlines for close of
5 discovery and for hearing dispositive motions at this time. The Court finds no reason as to why the
6 parties cannot engage in ADR efforts and discovery in tandem to meet the Court's deadlines.
7 Accordingly, the Court DENIES the parties' request for extension as to all other pretrial deadlines,
8 which shall remain as previously ordered.

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10 Dated: September 21, 2010



JAMES WARE
United States District Judge

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27 ¹ In light of the Court's Order, Defendants' Motion to Appear By Telephone is DENIED as
28 moot. (See Docket Item No. 21.)

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

2 Cynthia Lewis Stier cynthia.stier@usdoj.gov
3 Jeffrey Peters Coleman jeff@colemanlaw.com

4 **Dated: September 21, 2010**

Richard W. Wieking, Clerk

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6 **By: /s/ JW Chambers**
7 **Elizabeth Garcia**
8 **Courtroom Deputy**

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