

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Thomas Spilsbury,

NO. C 09-05955 JW

Plaintiff,

v.

**ORDER VACATING INTERIM CASE
MANAGEMENT CONFERENCE;
CONTINUING PRELIMINARY
PRETRIAL CONFERENCE; EXTENDING
DISCOVERY SCHEDULE**

Target Corp., et al.,

Defendants.

_____ /

This case is set for a Preliminary Pretrial Conference and an Interim Case Management Conference on March 21, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement and Proposed Order. (See Docket Item No. 126.) In their Joint Statement, the parties contend that extensive discovery disputes have delayed their readiness for trial. To this end, the parties have various Motions for Administrative Relief regarding discovery matters presently pending before the Court. (See Docket Item Nos. 101, 102, 121.) On March 15, 2011, the Court granted Plaintiff's Motion for an Interim Case Management Conference, set for the same date as the parties' previously scheduled Preliminary Pretrial Conference. (See Docket Item No. 130.)

Upon review of the parties' Joint Preliminary Pretrial Statement and the parties' various Motions for Administrative Relief, the Court finds that a Preliminary Pretrial Conference is premature at this time. In light of the parties on-going discovery disputes and discovery of new

1 evidence which both sides must respond to, the Court finds good cause to extend the discovery
2 deadline in this case for **sixty (60) days**.¹

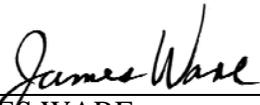
3 Accordingly, the Court modifies the Scheduling Order as follows:

4 (1) The Court sets **May 13, 2011** as the new close of all discovery.

5 (2) The Court sets **July 11, 2011** as the last date for hearing dispositive motions.

6 The Court will set a new Preliminary Pretrial Conference in its Order addressing any
7 dispositive Motions.

8
9 Dated: March 16, 2011



JAMES WARE
United States District Chief Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

¹ In light of the Court's extension of the discovery schedule in this case, the Court DENIES the parties' Motions for Administrative Relief as moot. (See Docket Item Nos. 101, 102, 121.) To the extent there are further disputes regarding discovery matters, these disputes shall be properly raised before Magistrate Judge Lloyd.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Juliet MacMillin Lompa jmlompa@stonelawoffice.com
Timothy Dennis McMahon tcmahon@cmalaw.net

Dated: March 16, 2011

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy