

1 (Dkt. No. 1) ¶ 24. Schwab then addressed these contentions in its Motion to Remand. *See Mot. to*
2 *Remand* (Dkt. No. 18) at 6-10. Thus, it appears likely that the tolling issue will be raised by Wells
3 Fargo in their Opposition to the Motion to Remand. The Court agrees with Plaintiffs that separate
4 briefing on the tolling issue outside the context of the Motion to Remand is unnecessary and thus
5 vacates the briefing schedule set forth in its October 19, 2010 Order. However, per Local Rule 7-3,
6 should Wells Fargo raise the tolling issue in its Opposition due November 18, 2010 then Schwab
7 shall respond in its Reply due November 25, 2010. The Court requests that in any Reply brief on
8 the tolling topic, Schwab address the issues raised in the Court's October 19, 2010 Order.

9 Of course, the Court will not reach any issue unnecessarily, or decide any issue that is not
10 properly before it.

11 **IT IS SO ORDERED.**

12 Dated: October 26, 2010

13 
14 LUCY H. KOH
15 United States District Judge