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E-FILED 02-04-2011

NOT FOR CITATION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

PIOTR J. GARDIAS,

No. C10-05637 HRL

Plaintiff,

**ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE**

v.

THE CALIFORNIA STATE UNIVERSITY,
SAN JOSE STATE UNIVERSITY,

Defendant.

This matter is set for an initial case management conference on February 8, 2011.

However, the parties have failed to file a Joint Case Management Statement as required by Civil Local Rule 16-9. Additionally, defendant has not yet consented or declined to proceed before a United States Magistrate Judge.

Accordingly, the initial case management conference is **continued to March 1, 2011, 1:30 p.m.** The parties shall file a Joint Case Management Statement no later than **February 22, 2011**. Failure to timely file that statement (or a separate statement if opposing counsel fails to participate in preparation of a statement) may result in sanctions and, possibly, an order to show cause why the case should not be dismissed (or default entered if it is the defendant who fails to file a statement) for failure to prosecute (or defend) the action.

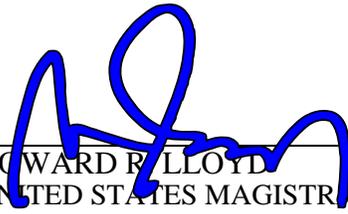
Additionally, **no later than February 22, 2011**, defendant shall file either a consent or declination to proceed before a United States Magistrate Judge. The forms are available from

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the Clerk of the Court and on the court's website at www.cand.uscourts.gov.

SO ORDERED.

Dated: February 4, 2011



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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5:10-cv-05637-HRL Notice has been electronically mailed to:

Mary Susan Cain-Simon Mary.CainSimon@doj.ca.gov, ECFCoordinator@doj.ca.gov,
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.

5:10-cv-05637-HRL Notice has been mailed to:

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Pro Se Plaintiff