

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HERGUAN UNIVERSITY, et al.,

Plaintiffs,

v.

IMMIGRATION AND CUSTOMS
ENFORCEMENT (ICE), et al.,

Defendants.

) Case No.: C 12-04403 PSG

) **ORDER GRANTING PLAINTIFF'S**
) **MOTION FOR LEAVE TO FILE**
) **LATE RESPONSE**

) **(Re: Docket No. 20)**

On October 18, 2012, Defendants Immigration and Customs Enforcement (“ICE”) and Student and Exchange Visitor Program (“SEVP”) (collectively, “Defendants”) filed a motion to dismiss.¹ Pursuant to Civ. L.R. 7-3, an opposition or statement of non-opposition was due no later than November 1, 2012. Plaintiffs Herguan University and Jerry Yun Fei Wang (collectively, “Plaintiffs”) did not file either an opposition or statement of non-opposition.

Plaintiffs move to extend the date for them to file an opposition to Defendants’ motion to dismiss on the grounds that Plaintiffs have discovered new evidence that impacts their response to Defendants’ motion. Plaintiffs also indicate that they may move for leave to amend the complaint. Having reviewed the papers and considered the arguments of counsel,

¹ See Docket No. 18.

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IT IS HEREBY ORDERED that Plaintiffs' motion for leave to file a late response to Defendants' motion to dismiss is GRANTED.

Plaintiffs may file their opposition, or statement of non-opposition, to Defendants' motion to dismiss no later than November 23, 2012 and Defendants may file their reply no later than December 7, 2012.

Any motion for leave to amend the complaint must be filed separately and in accordance with the Civil Local Rules. The hearing will remain as scheduled for December 18, 2012 at 10AM.

IT IS SO ORDERED.

Dated: November 19, 2012


PAUL S. GREWAL
United States Magistrate Judge