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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHERYL LEANN HOLT, et al.,)	Case No.: 12-CV-04506-LHK
)	
Plaintiffs,)	ORDER DENYING REQUEST TO
v.)	RESCHEDULE ORDER TO SHOW
)	CAUSE HEARING
JOHN D. FERNANDEZ, et al.,)	
)	
Defendants.)	
)	
)	

On November 19, 2012, Plaintiffs sent an email to Courtroom Deputy Martha Parker Brown requesting that the Court reschedule the Order to Show Cause hearing set for November 28, 2012. *See* ECF No. 17. Plaintiffs’ request that the Court reschedule the hearing is DENIED. The Order to Show Cause hearing will take place on November 28, 2012 at 2:00 p.m. as previously scheduled.

The Court also notes that Plaintiffs’ email was sent only to Ms. Brown and not to Defendants’ counsel and includes substantive arguments regarding the merits of the case. *See id.* (arguing Plaintiff Cheryl Holt was denied an opportunity to clean out her desk and that Defendants neglected to return all her possessions). Plaintiffs’ email constitutes a prohibited *ex parte* communication with the Court. *See* Northern District of California Local Rule 11-4(d) (prohibiting *ex parte* communications with the Court); Local Rule 1-5(d) (“*Ex parte*. ‘Without other party.’ *Ex parte* means contact with the Court without the advance knowledge or contemporaneous

1 participation of all other parties.”). In the future, Plaintiff will refrain from engaging in *ex parte*
2 communications with the Court.

3 Plaintiffs are also advised to consult with the Federal Legal Assistance Self-Help Center
4 (“FLASH”) regarding pursuing their claims. Plaintiffs may schedule an appointment with FLASH
5 by telephone Monday through Wednesday at 408-297-1480, or Plaintiffs may visit FLASH in
6 person and sign-up for an appointment at United States Courthouse, 280 South 1st Street, 4th
7 Floor, Room 4093 & 4095, San Jose, CA 95113.

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9 **IT IS SO ORDERED.**

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11 Dated: November 27, 2012



LUCY H. KOH
United States District Judge

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