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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BEN GILES,

Plaintiff,

v.

JUSTIN PAUL THOMPSON, et al.,

Defendants.

Civil No. 08cv439-L(RBB)

**ORDER SETTING BRIEFING
SCHEDULE AND CONTINUING
HEARING DATE**

On January 22, 2009 Defendant KDME, Inc. filed a summary judgment motion. On February 7, 2009 Plaintiff filed his opposition as well as a notice of cross-motion for summary judgment. Plaintiff's cross-motion was filed in violation of Civil Local Rule 7.1 which requires, among other things, that the party obtain a motion hearing date from chambers before filing a motion. Plaintiff is hereby **ADMONISHED** that any further violations of Civil Local Rules or electronic filing policies and procedures may result in sanctions. *See* Civ. Loc. R. 83.1.

To avoid unnecessary delay and allow for briefing of Plaintiff's cross-motion before the hearing date, the court hereby sets a briefing schedule in lieu of striking Plaintiff's cross-motion:

1. No later than February 23, 2009, Defendant shall file a combined opposition to Plaintiff's motion and reply in support of its own motion. Defendant shall file one combined memorandum of points and authorities which shall not exceed 25 pages in length.

2. No later than March 2, 2009, Plaintiff shall file a reply in support of its motion. The reply memorandum of points and authorities shall not exceed 10 pages in length.

1 3. The hearing date on Defendant's motion and Plaintiff's cross-motion is continued to
2 March 9, 2009 at 10:30 a.m.

3 In all other respects, the parties shall comply with all applicable Federal Rules of Civil
4 Procedure, Civil Local Rules of this District, and any other applicable rules and laws. Failure to
5 comply may result in sanctions. *See* Civ. Loc. Rule 83.1.

6 **IT IS SO ORDERED.**

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8 DATED: February 9, 2009

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11 M. James Lorenz
12 United States District Court Judge

13 COPY TO:

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15 HON. RUBEN B. BROOKS
16 UNITED STATES MAGISTRATE JUDGE

17 ALL PARTIES/COUNSEL
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