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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT JACOBSEN,

Plaintiff,

No. C 06-01905 JSW

v.

MATTHEW KATZER, and KAMIND
ASSOCIATES, INC.,

Defendants.

**ORDER DENYING
ADMINISTRATIVE MOTION TO
TAKE DEFENDANTS' MOTION FOR
RULE 11 SANCTIONS OFF
CALENDAR**

Having received Plaintiff's administrative motion to take Defendants' motion for Rule 11 sanctions off calendar and the opposition thereto, the Court HEREBY DENIES the motion. The Court shall hear the motion for sanctions on the same date as Plaintiff's pending motion, January 18, 2008 because, as explained by the Clerk of this Court, it is a date convenient for the Court and the parties. Second, the Court finds Defendants followed the safe harbor provision of Rule 11 by giving formal notice of their intention to seek sanctions for what they allege is offending conduct, as well as the type of sanctions sought. The draft motion was sufficient to indicate the scope and reasons for the sanctions requested. Therefore, there is no reason to delay hearing on the motion for sanctions. Furthermore, although the Court does not rule on the outstanding motion for sanctions, the cost of replying to Plaintiff's administrative motion should be added to the overall amount of sanctions sought and a further declaration accounting for all time spent should be submitted along with Defendants' reply papers.

1 In addition, the Court HEREBY ORDERS that an opposition to the motion for Rule 11
2 sanctions shall be filed by no later than December 21, 2007 and a reply, if any, shall be filed by
3 no later than December 28, 2007.

4 If the Court determines that the matter is suitable for resolution without oral argument, it
5 will so advise the parties in advance of the hearing date. If the parties wish to modify this
6 schedule, they may submit for the Court's consideration a stipulation and proposed order
7 demonstrating good cause for any modification requested.

8 **IT IS SO ORDERED.**

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10 Dated: December 5, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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