

**RICHARD M. GILMAN, et al., Plaintiffs,**  
**v.**  
**J. DAVIS., et al., Defendants.**

[No. CIV. S-05-830 LKK/GGH.](#)

**United States District Court, E.D. California.**

December 23, 2008.

## **ORDER**

LAWRENCE K. KARLTON, Senior District Judge.

Pending before the court are plaintiff's motion to amend the complaint, motion to certify a plaintiff class, and motion for a preliminary injunction, all noticed to be heard on January 12, 2008. The court first observes that the motion for a preliminary injunction was not timely filed and served. See Local Rule 78-230(b). Moreover, court congestion requires continuance of the other two motions. Accordingly, the court orders as follows:

1. The hearings on all three of the above-stated motions are CONTINUED to January 30, 2009 at 10 AM. Oppositions or statements of non-opposition SHALL be filed not later than January 5, 2009. Replies, if any, SHALL be filed not later than January 12, 2009.
2. The referral of discovery to the magistrate judge remains in effect. All law and motion practice shall be set for hearing before the undersigned. The parties shall refer to the case in future filings as "No. Civ. 2:05-cv-00830 LKK/GGH," dropping the "P" designation at the end.

IT IS SO ORDERED.

**RICHARD M. GILMAN, et al., Plaintiffs,**  
**v.**  
**J. DAVIS., et al., Defendants.**

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