

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 10-1573 AG (PLAx)	Date	January 4, 2011
Title	CHARLES EDWARD LINCOLN, III v. DAYLIGHT CHEMICAL INFORMATION SYSTEMS, INC., et al.		

Present: The Honorable	ANDREW J. GUILFORD		
Lisa Bredahl	Not Present		
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		

Proceedings: [IN CHAMBERS] ORDER CONTINUING HEARING

Plaintiff Charles Edward Lincoln, III (“Plaintiff”) filed an ex parte application (“Application”) to continue the hearing date for the motion to dismiss. The motion to dismiss is currently set for hearing on January 10, 2011 at 10:00 a.m. (Dkt. # 6.) Certain Defendants Daylight Chemical Information Systems, Inc., and Dr. Yosef Taitz (together, “Defendants”) opposed the ex parte application.

Plaintiff’s Application is unclear and inconsistent about what new date Plaintiff seeks for the hearing. And the Application includes multiple extraneous and inappropriate elements such as a request to convert the motion to dismiss into a motion for summary judgment (Application at 4:14-16) and arguments in opposition to the motion to dismiss (Application at 3:3-18). Plaintiff is currently pro se but argues in the Application that he will obtain counsel soon.

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Accordingly, the Court GRANTS the Application, but only to the limited extent that the hearing on the motion to dismiss is moved from January 10, 2011 until February 14, 2011, at 10:00 a.m. Deadlines for opposition and reply shall be based on the new hearing date.

Initials of Preparer _____ : _____
lmb _____