

1 DATED: January 6, 2010

Respectfully submitted:

2 HAAS & NAJARIAN, LLP

3
4 By: _____ /s/
5 David E. Bunim
6 Attorneys for Respondent
7 Bill Criswell

8 Bill Criswell hereby submits his Memorandum of Points and Authorities in support of his
9 Application for Order Shortening Time, stating as follows:

10 **I.**

FACTUAL BACKGROUND

11 On December 23, 2009, during the holiday season, Bill Criswell was served with a Subpoena
12 to Appear and Testify at trial in this matter, currently set to begin on January 11, 2010. Bunim Decl.
13 ¶ 3. The undersigned filed the Motion to Quash as soon as practicable after determining the need
14 therefore, but could not obtain a hearing date prior to commencement of trial given the timing of the
15 service of the subpoena and the notice requirement of Local Rule 7-2(a). Bunim Decl. ¶ 4.
16 Plaintiffs were notified that Respondent would present this application to the Court. Bunim Decl. ¶
17 5.

18 **II.**

GOOD CAUSE EXISTS TO GRANT AN ORDER SHORTENING TIME

19 A court may, upon presentation with a declaration showing good cause, prescribe shorter
20 times for the filing and service of papers than the times set forth in local rules of court. *See* Fed. R.
21 Civ. P. 6(c)(1)(C). Good cause exists for an order shortening time when a party will be substantially
22 prejudiced by any further delay. In the instant case, because trial is set for January 11, 2010, it is
23 imperative that Respondent obtain a determination by the Court as soon as possible as to whether it
24 will grant a motion to quash, so that all parties may prepare accordingly.

25 For all of the above reasons, Respondent respectfully requests an Order Shortening Time for
26 the filing of a Motion to Quash Subpoena to Appear and Testify.
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