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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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10 Paul Short and Barbara Short, a married
couple,

11 Plaintiffs,

12 vs.

13 Chase Home Finance LLC; and John and
14 Jane Doe, a married couple,

15 Defendants.
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No. CV-11-133-PHX-DGC

ORDER

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18 Plaintiffs filed suit in December 2010. Doc. 1-1 at 4-22. More than two months
19 ago, on April 8, 2011, Defendant Chase Home Finance LLC (“Chase”) filed a motion to
20 dismiss the amended complaint. Doc. 10. Plaintiffs’ counsel, Devin Andrich, sought an
21 extension of time to respond on the ground that he had miscalculated the response period.
22 Doc. 11. The Court gave Plaintiffs until April 29, 2011 to file a response. Doc. 12. To
23 date, no response has been filed.

24 Chase has filed a motion for summary ruling pursuant to Local Rule of Civil
25 Procedure 7.2(i). Doc. 13. In response, Mr. Andrich states that due to computer
26 problems in his office he was unable to electronically file a response to the motion to
27 dismiss using this District’s ECF system, that he attempted to hand-file a response but it
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1 was refused by the Clerk's Office, and that he is in the process of replacing servers and
2 reinstalling software programs in his office which will allow him to use the ECF system
3 in the future. Doc. 14. Given these circumstances, Mr. Andrich requests leave to file a
4 hardcopy of Plaintiffs' response to the motion to dismiss.

5 The Court will grant the request and deny Chase's motion for summary ruling.
6 Mr. Andrich, by **June 20, 2011**, shall file with the Court and serve on Chase a hardcopy
7 of Plaintiffs' response brief. This is a one-time exception to the electronic filing
8 requirement. All future documents shall be filed using the ECF system.

9 **IT IS ORDERED:**

10 1. Plaintiff's motion for leave to file response (Doc. 14) is **granted**.
11 Plaintiffs' counsel shall have until **June 20, 2011** to file with the Court and serve on
12 Defendant a hardcopy of the response to the motion to dismiss. The Clerk is directed to
13 accept the filing. All future documents shall be filed using the ECF system.

14 2. Defendant's motion for summary ruling (Doc. 13) is **denied**.

15 Dated this 14th day of June, 2011.

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20 David G. Campbell
21 United States District Judge
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