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United States District Court
Central District of California

MORRIS REESE,
Plaintiff,
v.
T-MOBILE USA INC.,
Defendant.

Case No. 2:13-cv-3811-ODW(PLAx)

ORDER GRANTING DEFENDANT'S REQUEST FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT [18]

Before the Court is Defendant T-Mobile USA Inc.'s Request for Leave to File Motion for Summary Judgment. (ECF No. 18.) T-Mobile's proposed motion for summary judgment would be based solely on the affirmative defense of laches. Plaintiff Morris Reese opposes T-Mobile's Request arguing that a summary-judgment motion is premature and that he needs to conduct more discovery under Federal Rule of Civil Procedure 56(d). This case is part of the related *Reese Cases* before this Court, but T-Mobile's Request applies only to this action. Plaintiff Morris Reese's Opposition to T-Mobile's Request was filed in the lead case. (*Morris Reese v. Sprint Nextel Corp.*, No. 13-cv-3811-ODW(PLAx), ECF No. 40.)

The Court held a telephonic hearing on T-Mobile's Request on February 14, 2014. After hearing argument from both parties, the Court finds that a motion for

summary judgment on the issue of laches would not be premature. Accordingly, the Court **GRANTS** T-Mobile's Request for Leave to File Motion for Summary Judgment. (ECF No. 18.)

The other Defendants in the related *Reese Cases* were also present during the February 14, 2014 hearing. Both Reese and these other Defendants indicated that similar requests for leave would be filed shortly. In anticipation of these additional requests, the Court **ORDERS** that T-Mobile's summary-judgment motion will be noticed for hearing on **Monday, April 14, 2014**. The Court expects Defendants in the other *Reese Cases* to seek leave to file similar summary-judgment motions in time to notice summary-judgment hearings for the same date. All briefing shall comply with the Federal Rules of Civil Procedure, the Central District of California's Local Rules, and all scheduling and case management orders issued by this Court.

The Clerk of Court is **ORDERED** to file this Order in the lead case, *Morris Reese v. Sprint Nextel Corp.*, No. 13-cv-3811-ODW(PLAx), as well.

IT IS SO ORDERED.

February 14, 2014

OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE