

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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**CIVIL MINUTES - GENERAL**

Case No. 2:14-cv-04166-CAS(AGRx) Date June 6, 2014

Title KYLE JOHNSON V. UNITED STATES POSTAL SERVICE INC.

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants

Not Present

Not Present

**Proceedings:** **(In chambers:) EX PARTE APPLICATION TO EXTEND TIME TO FILE ANSWER (Dkt. 5, filed June 5, 2014)**

On May 1, 2014, plaintiff Kyle Johnson filed this case in the small claims division of Los Angeles County Superior Court against defendant United States Postal Service (“USPS”). On May 30, 2014, USPS removed the case to this Court pursuant to 28 U.S.C. § 1442(a)(1).

On June 5, 2014, USPS filed an ex parte application to extend its time to file an answer. USPS states that it was not properly served, and contends that it should have 60 days to respond pursuant to Fed. R. Civ. P. 12(a). However, USPS states that, under Fed. R. Civ. P. 81(a), it could potentially be required to respond within 7 days of the filing of the notice of removal—i.e., by June 6, 2014. As a precaution, then, USPS moves ex parte to extend its respond to respond until July 29, 2014, by which time “[g]overnment counsel anticipates that he will receive information and documents to allow him to answer, move or otherwise respond.” Ex Parte App. at 3. Plaintiff has not filed an opposition.

The Court finds that, under the circumstances of this case, USPS has set forth good cause to enlarge its time to respond. The Court therefore GRANTS USPS’s ex parte application. USPS shall respond to plaintiff’s complaint no later than **July 29, 2014.**

IT IS SO ORDERED.

Initials of Preparer

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CMJ