

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

**‘O’**

<b>Case No.</b>	2:16-cv-07322-CAS(MRWx)	<b>Date</b>	January 25, 2017
<b>Title</b>	LISA MOLLICONE v. UNIVERSAL HANDICRAFT, INC. ET AL.		

**Present: The Honorable**      **CHRISTINA A. SNYDER**

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:**      (IN CHAMBERS) - PLAINTIFF LISA MOLLICONE’S EX PARTE APPLICATION TO CONTINUE THE LOCAL RULE 23-3 DEADLINE FOR THE FILING OF A MOTION FOR CLASS CERTIFICATION (Dkt. 34, filed January 11, 2017)

On September 29, 2016, plaintiff Lisa Mollicone filed a class action complaint against Defendants Shay Sabag Segev and Universal Handicraft, Inc. (“UHI”), doing business as Deep Sea Cosmetics and Adore Organic Innovations. Dkt. 1 (“Complaint”). On December 19, 2016, plaintiff filed a first amended complaint. Dkt. 25 (“FAC”).

On January 11, 2017, plaintiff filed an ex parte application to continue the deadline to file a motion for class certification, which she asserts was set for January 13, 2017 – ninety days after plaintiff served UHI with the Complaint. Dkt. 34; see C.D. Cal. L.R. 23-3. On January 12, defendants filed an opposition to plaintiff’s ex parte application, arguing, inter alia, that the proper deadline for a motion for class certification is March 20, 2017 – ninety days after plaintiff filed her FAC. Dkt. 36.

Local Rule 23-3 provides:

Within 90 days after service of a pleading *purporting to commence a class action* other than an action subject to the Private Securities Litigation Reform Act of 1995, P.L. 104-67, 15 U.S.C. § 77z-1 et seq., the proponent of the class shall file a motion for certification that the action is maintainable as a class action, unless otherwise ordered by the Court.

C.D. Cal. L.R. 23-3 (emphasis added). Therefore, plaintiff is correct that her deadline to file a motion for class certification was January 13, 2017. However, under Federal Rule of Civil Procedure 6(b)(1)(A), “the court may, for good cause, extend the time [within which a motion must be filed] . . . if the request is made before the original time or its

