

1 Defendant Hoppe waived service in this action on November 29, 2010. (Doc. 60.) Pursuant to
2 the Waiver, defendant Hoppe was required to file "an answer or motion under Rule 12 . . . within 60
3 days after 10/5/10." Id. On December 2, 2010, defendant Hoppe joined defendants' motion to declare
4 Plaintiff a vexatious litigant, to require Plaintiff to pay security, and to issue a pre-filing order against
5 Plaintiff.² (Docs. 54, 63.) On July 8, 2011, the Court granted the motion in part and denied the motion
6 in part. (Doc. 70.) The Court granted the motion to declare Plaintiff a vexatious litigant but denied the
7 motion to require Plaintiff to pay security and the motion to issue a pre-filing order against Plaintiff.
8 (Id.) More than fourteen days have passed, and Defendant Hoppe has not filed a responsive pleading.
9 Therefore, at this juncture, Defendant Hoppe shall be required to file a responsive pleading.

10 **IV. CONCLUSION**

11 Based on the foregoing, IT IS HEREBY ORDERED that within twenty (20) days from the date
12 of service of this order, Defendant Hoppe shall file an answer or motion under Rule 12 in response to
13 the Second Amended Complaint.

14 IT IS SO ORDERED.

15 **Dated: July 26, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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²The motion was filed by defendants Baroya, Nguyet, Pham, Griffin, and Reidman on October 12, 2010. (Doc. 54.)