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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

JOE FLORES, and M&G FARMS, INC.,)
Plaintiffs,)
v.)
JEWELS MARKETING AND)
AGRIBUSINESS, et. al.,)
Defendants.)

1:07-CV-334 AWI DLB
ORDER ALLOWING LATE
BRIEFING AND RESPONSE

Currently pending before the Court is M&G's motion for enforcement of settlement and motion for attorney's fees and costs, as well as Defendants' request for interpleader. The Court took the motions under submission on March 9, 2010. The Court had ordered additional briefing to be filed on March 2, 2010, and March 8, 2010. Only Plaintiffs filed additional briefing on March 8. No party filed anything on March 2, 2010. On March 10, 2010, Defendants filed late briefing. Defendants assumed that the additional briefing was moot because they had sent a check for \$41,000 to M&G, as required by the settlement agreement.¹ Defendants state that on March 9, 2010, they received a demand from M&G's counsel for \$5,000 for attorney's fees and costs. Defendants have rejected that offer.

¹As a result of the denial of the Third Party's motions and the tender of the \$41,000 by Defendants, it would appear that the interpleader request is now moot.

1 The Court will allow the late filed briefing and will give Plaintiffs a chance to respond
2 However, the Court warns the parties that from this point forward, any late filings will be
3 automatically struck for violating Court orders.

4 Accordingly, IT IS HEREBY ORDERED that the Plaintiffs may file a response to
5 Defendants' late filed opposition on or by 1:00 p.m. on March 19, 2010.²

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7 IT IS SO ORDERED.

8 **Dated:** March 11, 2010

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE

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²M&G should also confirm whether they have received the \$41,000 from Defendants.