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

WECO SUPPLY COMPANY, INC.,)	1:10-cv-00171-AWI-BAM
)	
Plaintiff,)	ORDER RE: MOTION FOR
)	EXTENSION OF TIME TO
v.)	FILE APPEAL
)	
THE SHERWIN-WILLIAMS COMPANY;)	(Doc. 84)
and DOES 1 through 10, inclusive,)	
)	
Defendants.)	
_____)	
AND RELATED CROSS-ACTION)	
_____)	

The Court refers the parties to previous orders for a complete chronology of the proceedings. On January 3, 2013, the Court entered judgment in favor of defendant The Sherwin-Williams Company (“Defendant”) and against plaintiff Weco Supply Company, Inc. (“Plaintiff”) pursuant to orders re: summary judgment and attorneys’ fees issued May 25, 2012, August 7, 2012 and January 3, 2013. On February 19, 2013, Plaintiff filed a motion to reopen the time to file an appeal for a period of fourteen days pursuant to Federal Rule of Appellate Procedure 4(a)(6). Defendant filed its opposition to Plaintiff’s motion on February 28, 2013. Under Federal Rule of Appellate Procedure 4(a)(5)(A), “[t]he district court may extend the time to file a notice of appeal if: [¶] (i) a party so moves no later than 30 days after the time prescribed by this Rule 4(a) expires; and [¶] (ii) regardless

1 of whether its motion is filed before or during the 30 days after the time prescribed by this Rule 4(a)
2 expires, that party shows excusable neglect or good cause.” Having reviewed the pleadings of record
3 and all competent and admissible evidence submitted, the Court finds the motion is timely and that
4 good cause exists. Accordingly, Plaintiff’s motion to reopen time to file an appeal is GRANTED.
5 The time to file an appeal is hereby reopened for fourteen days from the date of entry of this order.
6 IT IS SO ORDERED.

7 Dated: March 1, 2013



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9 SENIOR DISTRICT JUDGE
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