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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GRAYSON SERVICE, INC.,

Plaintiff,

v.

CRIMSON RESOURCE MANAGEMENT
CORP. et al.,

Defendants.

Case No. 1:14-cv-01125-SAB

ORDER GRANTING IN PART
DEFENDANT’S APPLICATION FOR AN
EXTENSION OF TIME TO FILE AN
ANSWER AND CONTINUING
SCHEDULING CONFERENCE

(ECF No. 76, 77)

DEADLINE: JANUARY 15, 2016

On December 10, 2015, the parties filed a stipulation to extend time for Defendant to file a response to the third amended complaint. Defendant’s responsive pleading is due on December 23, 2015. On December 22, 2015, Plaintiff filed an opposition to an application for an extension of time. Thereafter, Defendant filed an application for an “unopposed” extension of time to file a responsive pleading.

Defendant seeks an extension of time to February 1, 2016 to file a responsive pleading and a continuance of the scheduling conference. Defendant contends that the parties are engaged in settlement discussions and wants to avoid incurring additional costs. Defendant states that counsel for Plaintiff indicated that they would agree to an extension to file an answer, but not for Defendant to file another motion to dismiss the complaint. Further, Defendant requests that the scheduling conference set for January 5, 2016 be continued until after February 1, 2016.

1 Plaintiff opposes the motion on the ground that Defendant should not be granted an
2 opportunity to file another motion to dismiss. Plaintiff states that it does not oppose an addition
3 extension of time of one week to file an answer to the pleadings, but opposes any additional
4 extension of time.

5 The Court finds good cause to grant an extension of time for Defendant to file an answer
6 to the third amended complaint. However, based on Plaintiff's objection to the extension of time
7 requested, the Court shall only grant an extension of time to January 15, 2016, for an answer to
8 the third amended complaint to be filed. If Defendant seeks to file a motion to dismiss, the
9 motion must be filed by December 23, 2015. This is the final extension of time to file an answer
10 to the third amended complaint that shall be granted in this action.

11 As the Court is extending time for an answer to be filed, the scheduling conference shall
12 also be continued.

13 Based on the foregoing, IT IS HEREBY ORDERED that:

- 14 1. Defendant's application for an extension of time to file an answer to the third
15 amended complaint is GRANTED in part;
- 16 2. Defendant's answer to the third amended complaint shall be filed on or before
17 January 15, 2016;
- 18 3. The scheduling conference currently set for January 5, 2016 at 9:45 a.m. is
19 continued to February 16, 2016, at 2:30 p.m. in Courtroom 9; and
- 20 4. The parties shall file a joint scheduling report one week prior to the scheduling
21 conference.

22 IT IS SO ORDERED.

23 Dated: December 23, 2015

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26 UNITED STATES MAGISTRATE JUDGE
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