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**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF CALIFORNIA**  
**FRESNO DIVISION**

FATEMEH SANIEFAR,  
  
Plaintiff(s),  
  
vs.  
  
RONALD D. MOORE, TANYA E. MOORE, KENNETH RANDOLPH MOORE, MAREJKA SACKS, ELMER LEROY FALK, ZACHARY M. BEST, MOORE LAW FIRM, a California Professional Corporation, MISSION LAW FIRM, a California Professional Corporation, GEOSHUA LEVINSON, RICK D. MOORE, WEST COAST CASP AND ADA SERVICES, a California Corporation, RONNY LORETO,  
  
Defendant(s).

Case No. 1:17-cv-00823-LJO-BAM

**ORDER PARTIALLY GRANTING DEFENDANTS' EX PARTE APPLICATION FOR ORDER EXTENDING TIME TO ANSWER FIRST AMENDED COMPLAINT AND CONTINUING MANDATORY SCHEDULING CONFERENCE**

(Doc. No. 49)

Currently pending before the Court is an *ex parte* application filed by Defendants Ronald D. Moore, Tanya E. Moore, Kenneth Randolph Moore, Marejka Sacks, Elmer Leroy Falk, Zachary M. Best, Moore Law Firm, Mission Law Firm, Geoshua Levinson, Rick D. Moore, West Coast CASP and ADA Services and Ronnie Loreto (“Defendants”) on March 26, 2018. (Doc. No. 49.) By the application, Defendants request an extension of time to file their responsive pleading to the first amended complaint, along with a thirty-day continuance of the April 9, 2018 scheduling conference. Defendants explain that additional time is needed because

1 they recently retained new counsel following the District Court’s denial of their second motion  
2 to dismiss in this action. Newly retained defense counsel now asserts that additional time is  
3 necessary in order to prepare a proper response because the first amended complaint “consists  
4 of 236 paragraphs in 51 pages of text, involving factually dense allegations of fraud, and  
5 presentation of false evidence in a range of other cases” and “refers to 14 separate exhibits  
6 totaling over 100 pages.” (Doc. No. 49-1, Declaration of Jeffrey D. Kirk at ¶ 4.) Defense  
7 counsel also indicate that they have been forwarded media inquiries about the District Court’s  
8 order, which have taken resources and time away from their ability to learn the facts and law of  
9 the case. (*Id.* at ¶ 7.)

10 Plaintiff Fatemah Saniefar, through counsel, opposed the *ex parte* application, arguing  
11 that Defendants have requested and received three separate extensions of time to respond to the  
12 complaint in this action. Plaintiff further argues that despite knowing the due date for their  
13 responsive pleading, Defendants elected to retain new counsel, resulting in further delay.  
14 Plaintiff also points out that the representation may “fall through” given defense counsel’s  
15 statement that counsel is still waiting for a fully signed disclosure and consent form/conflict of  
16 interest waiver. (Doc. No. 51 at pp. 3-4.)

17 Having considered the parties’ arguments, the Court finds good cause for a brief  
18 extension of time to allow newly retained counsel to become familiar with this action, and file a  
19 response to the first amended complaint. However, in light of the previous extensions of time  
20 granted in this matter, and because Defendants Tanya Moore and Zachary Best, both of whom  
21 are attorneys, have been representing either themselves or the remaining defendants in this  
22 matter since its inception in June 2017, the Court finds a two-week extension of time  
23 unnecessary. There is no indication from counsel or the parties that Ms. Moore and Mr. Best  
24 are unable to provide assistance with their defense in this action or that they are unable to assist  
25 newly retained counsel with the relevant law and facts.

26 Accordingly, IT IS HEREBY ORDERED that defendants’ time to answer the first  
27 amended complaint is hereby extended from March 27, 2018 to April 3, 2018.

1 IT IS FURTHER ORDERED that the Mandatory Scheduling Conference be and is  
2 hereby continued from April 9, 2018 to **April 24, 2018, at 10:30 AM in Courtroom 8 (BAM)**  
3 **before Magistrate Judge Barbara A. McAuliffe.** All filings related to the mandatory  
4 scheduling conference shall be calculated from the new date established herein.

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6 IT IS SO ORDERED.

7 Dated: March 27, 2018

/s/ Barbara A. McAuliffe  
8 UNITED STATES MAGISTRATE JUDGE

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