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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**JOSHUA HECKATHORN,**  
Plaintiff,  
**v.**  
**KIM HOLLAND,**  
Defendants.

Case No. 1:17-cv-1416 AWI-JLT  
**ORDER GRANTING EXTENSION OF  
TIME TO FILE RESPONSIVE  
PLEADING**  
**(Doc. 15)**

S. Zarris, J. Foster, P. Perez, R. Ruiz, B. Morse and R. Ruvalcaba have applied *ex parte* for a three-week extension of time in which to file their responsive pleading to the first amended complaint. (Doc. 15) The plaintiff refused to stipulate to the extension because the defendants refused to provide early discovery and because the defendants' lawyer failed to adequately explain why she had not had sufficient communications earlier such to verify they wished representation. (Doc. 19)

The plaintiff does not explain how refusing to agree to the extension of time advances his cause in any fashion. It did not speed up the start of discovery. Seemingly, all it did was to require opposing counsel to seek relief and require the Court to drop other, more substantive work

1 to devote its attention to this matter. Then when the Court did this, the plaintiff failed to respond  
2 as ordered.<sup>1</sup> Thus, the Court **ORDERS:**

3 1. Defendants' request for an extension of time to file a responsive pleading to the first  
4 amended complaint is **GRANTED**;

5 2. Defendants **SHALL** file their responsive pleading **no later than April 10, 2018**;

6 3. The order to show cause (Doc. 17) is DISCHARGED.

7 In future, counsel **SHALL** work diligently and cooperatively. They **SHALL** file only  
8 properly noticed motions *after* meeting and conferring and they **SHALL** timely respond to motions  
9 and the Court's order.

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11 IT IS SO ORDERED.

12 Dated: March 27, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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27 <sup>1</sup> Notably, plaintiff's counsel explained why counsel failed to respond by March 20, 2018. (Doc. 20 at 2)  
28 However, the deadline to respond was March 23. (Doc. 17)