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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GEORGE AVALOS,  
Plaintiff,  
v.  
OLIVEWOOD PLAZA TWO, LLC, et al.  
Defendants.

Case No. 1:20-cv-01570-NONE-EPG  
ORDER SETTING ASIDE DEFAULT  
ENTERED AGAINST DEFENDANT  
OLIVEWOOD PLAZA TWO, LLC  
(ECF Nos. 12, 15)  
ORDER DIRECTING CLERK OF COURT  
TO UPDATE THE DOCKET TO  
TERMINATE CERTAIN DEFENDANTS

Plaintiff George Avalos (“Plaintiff”) initiated this action on November 6, 2020, by filing a complaint naming Olivewood Plaza, Binyamin Glickman, and Does 1 through 10 as defendants. (ECF No. 1.)

On December 2, 2020, Plaintiff filed a First Amended Complaint naming Olivewood Plaza Two, LLC, and Does 1 through 10 as defendants. (ECF No. 7.) Unlike the original complaint, the First Amended Complaint did not assert any claims against Olivewood Plaza or Binyamin Glickman.

On January 19, 2021, the Clerk of Court entered default against Olivewood Plaza Two, LLC. (ECF No. 12.)

On February 10, 2021, Plaintiff and Olivewood Plaza Two, LLC filed a stipulation requesting that Olivewood Plaza Two, LLC’s default be set aside and that Olivewood Plaza Two,

1 LLC be permitted ten (10) days to respond to the First Amended Complaint. (ECF No. 15.)

2 The Court held a Status Conference on February 11, 2021. At the Status Conference,  
3 counsel for Plaintiff confirmed that Plaintiff was no longer asserting any claims against  
4 Olivewood Plaza and Binyamin Glickman by virtue of the filing the First Amended Complaint.  
5 Additionally, counsel confirmed that Plaintiff and Olivewood Plaza Two, LLC had agreed to set  
6 aside the default entered against Olivewood Plaza Two, LLC.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Pursuant to the stipulation of the parties (ECF No. 15), the default entered by the Clerk  
9 of Court against Olivewood Plaza Two, LLC (ECF No. 12) is set aside and  
10 VACATED; and
- 11 2. Olivewood Plaza Two, LLC shall file a response to the First Amended Complaint  
12 within ten days of entry of this order.
- 13 3. The Clerk of Court is respectfully directed to amend the caption and docket in this  
14 matter to reflect that this action proceeds solely against Olivewood Plaza Two, LLC  
15 and Does 1 through 10 and that Olivewood Plaza and Binyamin Glickman have been  
16 terminated as defendants in this action as of the filing of the First Amended Complaint  
17 (ECF No. 7).

18 IT IS SO ORDERED.

19 Dated: February 12, 2021

20 /s/ Eric P. Gray  
21 UNITED STATES MAGISTRATE JUDGE  
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