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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT,  
Plaintiff,  
v.  
HBA ENTERPRISES, INC., et al.,  
Defendants.

Case No. 1:21-cv-01358-JLT-SAB  
ORDER GRANTING DEFENDANT’S  
MOTION FOR EXTENSION OF TIME TO  
FILE OPPOSITION TO MOTION FOR  
DEFAULT JUDGMENT, CONTINUING  
HEARING UNTIL JULY 6, 2022, AND  
SETTING BRIEFING SCHEDULE  
(ECF Nos. 24, 25, 26)

This action was filed on September 10, 2021, against Defendants HBA Enterprises, Inc., and Abdulsalam Mahmood Rashed (“Rashed”). (ECF No. 1.) On March 28, 2022, Plaintiff filed a motion for default judgment against the Defendants that is currently set for hearing on May 18, 2022. (ECF Nos. 22, 23.) On April 29, 2022, Defendant Rashed filed a motion for an extension of time until June 15, 2022, to file a response to the motion for default judgment. (ECF No. 24.)<sup>1</sup> On May 4, 2022, the Court ordered Plaintiff to indicate whether they would oppose the extension, and also signaled that it would be preferable that the parties also consider whether setting aside the entry of default would be prudent after discussion between the parties or counsel, if retained.

On May 5, 2022, Plaintiff filed a statement indicating they do not oppose the requested

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<sup>1</sup> The filing was entered on the docket on May 2, 2022.

1 extension, and that additionally, Plaintiff would be willing to stipulate to set aside one or both of  
2 the Defendants' defaults so that this matter may proceed on the merits. (ECF No. 26.) The  
3 Court is appreciative of Plaintiff's prompt response and willingness to continue this matter to  
4 allow for discussion between the parties and the filing of any oppositions or stipulations to set  
5 aside the entries of default. Given Plaintiff's non-opposition to the extension, as well as the  
6 stated willingness to consider setting aside the default for both parties, the Court shall continue  
7 the hearing date, and set extended dates for the filing of any oppositions and reply briefing.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The hearing on Plaintiff's motion for default judgment currently set for May 18,  
10 2022 (ECF Nos. 22, 23), is CONTINUED until July 6, 2022,<sup>2</sup> at 10:00 a.m., in  
11 Courtroom 9;
- 12 2. Defendants shall file any opposition to the motion for default judgment on or  
13 before June 15, 2022; and
- 14 3. Plaintiff shall file any reply on or before June 29, 2022.

15 IT IS SO ORDERED.

16 Dated: May 5, 2022

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19 UNITED STATES MAGISTRATE JUDGE

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27 <sup>2</sup> The Court is unavailable on June 29, 2022, the first date that would allow for the filing of any reply by Plaintiff  
28 one week after the opposition, and a subsequent week until the hearing. The Court shall grant Plaintiff two weeks  
from the date of the opposition to file any reply given the large extension of time agreed to for the filing of an  
opposition.