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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HEIDI FIORENTINO,

Plaintiff,

v.

PHILADELPHIA INDEMNITY
INSURANCE COMPANY,

Defendant.

Case No. 1: 24-cv-01023-KES-SAB

ORDER REQUIRING DEFENDANT TO
FILE RESPONSIVE PLEADING

DEADLINE: September 4, 2024

On July 26, 2024, Heidi Fiorentino (“Plaintiff”) filed this action in the Fresno County Superior Court against Philadelphia Indemnity Insurance Company (“Defendant”) alleging violations of California law. (ECF No. 1-2.) Service of the summons and complaint was completed on August 1, 2024. (ECF No. 1-4.) On August 28, 2024, Defendant removed the action to the Eastern District of California. (ECF No. 1.)

Pursuant to the Federal Rules of Civil Procedure, “[a] defendant who did not answer before removal must answer or present other defenses or objections under these rules within the longest of these periods: (A) 21 days after receiving--through service or otherwise--a copy of the initial pleading stating the claim for relief; (B) 21 days after being served with the summons for an initial pleading on file at the time of service; or (C) 7 days after the notice of removal is filed.” Fed. R. Civ. P. 81(c)(2).

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Defendant's notice of removal does not include an answer filed in the state court. Accordingly, IT IS HEREBY ORDERED that Defendant shall file a responsive pleading within **seven (7)** days after the notice of removal was filed.

IT IS SO ORDERED.

Dated: August 29, 2024


UNITED STATES MAGISTRATE JUDGE