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14 Attorneys for Plaintiff, Ryan Matthew Geris

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

21 Ryan Matthew Geris,

Case No. 2:09-cv-539

23 Plaintiff,

25 vs.

**PLAINTIFF'S REQUEST
FOR ENTRY OF A 90 DAY
CONTINUANCE OF THE
STATUS CONFERENCE
AND ORDER**

31 Patrick Bateman,

33 Defendant.

36 TO: THE CLERK OF THE ABOVE ENTITLED COURT:

37 Plaintiff, Ryan Matthew Geris, hereby requests that the Clerk of the above-entitled
38 Court enter a ninety (90) day continuance of the Status Conference, currently scheduled for
39 September 21, 2009. Plaintiff served the Complaint on defendant, Patrick Bateman, on
40 March 7, 2009, evidenced by the proof of service of summons on file with this Court. See
41 Docket No. 8. Plaintiff filed a Request for Entry of Default on May 26, 2009. See Docket

1 No. 15. Clerk's Entry of Default as to defendant, Patrick Bateman, was entered on May
2 26, 2009. See Docket No. 17.

3 Plaintiff intends to file an Amended Notice of Motion and Amended Motion for
4 Default Judgment. Plaintiff has requested and has diligently sought certified medical
5 records from his treating physicians in order to provide documented evidence supporting
6 the claims and damages as asserted in the Complaint (see Docket No. 1) for which he will
7 request Default Judgment. Plaintiff anticipates he will receive the requested documentation
8 and be able to file a Notice of Motion and Motion for Default Judgment within ninety (90)
9 days from September 21, 2009. Plaintiff will also address the other deficiencies in
10 Plaintiff's Notice of Motion and Motion for Default Judgment, noted by the Court in its
11 Order denying Default Judgment, (see Docket No. 21), upon receipt of the certified
12 medical records from Plaintiff's treating physicians.

13 The above stated facts are set forth in the accompanying declaration of Michael T.
14 Hess, filed herewith.

15 Respectfully Submitted,

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17
18 /s/Michael T. Hess, Esquire
19 Michael T. Hess, Esq.

Dated: September 1, 2009

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21 Attorney for Plaintiff


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1 **ORDER**

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3 The status conference currently set for September 21, 2009 is continued to
4
5 January 19, 2010 at 10:30 a.m. The parties are directed to file their status reports
6
7 ten (10) days prior to the status conference.
8

9 IT IS SO ORDERED.

10
11 Dated: September 3, 2009.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT