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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAURA LESKINEN,

Plaintiff,

No. 2:10-cv-03363 MCE KJN PS

v.

CAROLYN A. HALSEY, et al.,

Defendants.

ORDER

Plaintiff in this action has sued over one dozen defendants, alleging nearly one dozen claims for relief in a 228-paragraph complaint. (See Second Am. Compl., Dkt. No. 15.) On July 1, 2011, one of the named defendants, Douglas Frank Whitman, filed an ex parte request for a 60-day extension of time to file a response to the Second Amended Complaint. (Request, Dkt. No. 24.) Whitman, a resident of Maryland, contends that although he has access to an attorney in Maryland, that attorney’s office “refuses to even look at the paperwork because the District Court is in California and the property in question is in the State of New York.” (Id.) As a result, Whitman requests an extension of time so that he may retain counsel.

The undersigned grants Whitman’s request in part and provides him with 30 additional days to respond to the Second Amended Complaint. An initial ex parte application for an extension of time to file an answer or otherwise respond to a plaintiff’s complaint is governed

1 by Eastern District Local Rule 144(c).¹ Although Whitman has not filed an affidavit indicating
2 why he and plaintiff could not agree on a stipulated extension, which is a requirement of Local
3 Rule 144(c), the undersigned nonetheless grants Whitman's ex parte request in light of the
4 circumstances of this case. Any further extension should be sought through a noticed motion that
5 conforms with the requirements of this court's Local Rules, or through a stipulation and
6 proposed order that conforms with the court's Local Rules.

7 Accordingly, IT IS HEREBY ORDERED that:

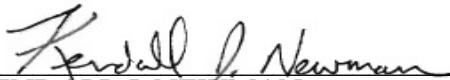
8 1. Defendant Douglas Whitman's ex parte request for an extension of time in
9 which to respond to the Second Amended Complaint is granted in part.

10 2. Defendant Douglas Whitman shall file a response to plaintiff's Second
11 Amended Complaint within 30 days of the date of this order.

12 3. No further ex parte requests for extensions of time will be considered
13 unless Whitman complies with this court's Local Rules regarding requests for extensions of time.

14 IT IS SO ORDERED.

15 DATED: July 6, 2011

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18 KENDALL J. NEWMAN
19 UNITED STATES MAGISTRATE JUDGE
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22 _____
23 ¹ Local Rule 144(c) provides:

24 **(c) Initial Ex Parte Extension.** The Court may, in its discretion, grant an
25 initial extension ex parte upon the affidavit of counsel that a stipulation
26 extending time cannot reasonably be obtained, explaining the reasons why
such a stipulation cannot be obtained and the reasons why the extension is
necessary. Except for one such initial extension, ex parte applications for
extension of time are not ordinarily granted.