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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CENTURY SURETY COMPANY, an
Ohio Corporation,

Plaintiff,

v.

MO FOODS, LLC, a limited
liability company; MANISH
PATEL, an individual; TMPM,
LLC, a limited liability
company; PRADIP PATEL, an
individual, NEHA PATEL, an
individual; SEAN CANILOA, an
individual; RUBEN MORALES; an
individual; WAYNE PERARANDA;
an individual; DEBORAH
PENARANDA; an individual; and
PATRICK PENARANDA; an
individual,

Defendants.

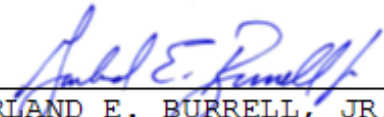
No. 2:13-cv-01387-GEB-EFB

**ORDER DENYING EX PARTE
APPLICATION**

Defendants filed an ex parte application for an order shortening time, (ECF No. 35), for hearing on their motion to stay this action. (ECF No. 38.) The request to shorten time is premised on language in the Status Order, (ECF No. 30), which Defendants erroneously assume dictated that Plaintiff could not file a summary judgment motion until after Defendants filed their motion to stay this action. The Status Order did not address this motion filing timing issue, and, therefore, that order does not

1 support granting the order shortening time Defendant seeks.
2 Defendants also argue in a conclusory manner that if the Court
3 fails to grant Defendants' ex parte application, "Defendants will
4 not have an opportunity to argue why this entire action should be
5 stayed in the interest of justice . . . and efficient judicial
6 administration." (Aff. in Supp. Of Ex Parte Application ¶ 6, ECF
7 No. 36.) However, Defendants have delayed in seeking a stay and
8 have not shown that they are without any other option. Therefore,
9 the ex parte application is DENIED.

10 Dated: December 2, 2013

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15 GARIAND E. BURRELL, JR.
16 Senior United States District Judge
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