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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALLY FINANCIAL INC.,
Plaintiff,
v.
MICHAEL G. PETERS
Defendant.

No. 2:15-cv-1522-TLN-KJN

ORDER

Presently pending before the court is plaintiff's motion for default judgment, which was filed on July 28, 2016, and noticed for hearing on September 8, 2016. (ECF No. 19.) Defendant failed to oppose the motion in accordance with Local Rule 230(c). As such, the court vacates the hearing on the motion. Nevertheless, out of abundance of caution, the court provides defendant with one final opportunity to appear and oppose the motion.

Accordingly, IT IS HEREBY ORDERED that:

1. The September 8, 2016 hearing on plaintiff's motion is vacated.
2. No later than September 15, 2016, defendant shall file any opposition to plaintiff's motion.
3. Any reply brief shall be due September 29, 2016.

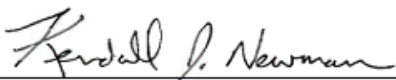
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- 4. Thereafter, the motion will be submitted for decision without oral argument on the record and written briefing pursuant to Local Rule 230(g). If the court subsequently determines that oral argument or supplemental briefing is necessary, the parties will be notified.
- 5. No later than September 15, 2016, any appearing parties shall indicate whether or not they consent to the jurisdiction of a United States Magistrate Judge for all purposes, including the entry of final judgment, pursuant to 28 U.S.C. § 636(c). Importantly, the parties have no obligation to so consent, but the consent/decline designation merely assists the court in determining how plaintiff's motion should be administratively processed.

IT IS SO ORDERED.

Dated: August 30, 2016


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE