

MINUTES

CASE NUMBER: 2:16-cv-02098-LEK (USDC, Eastern District of California)

CASE NAME: United Financial Casualty Company vs. JML, et al.

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

JUDGE: Leslie E. Kobayashi

REPORTER:

DATE: 2/22/2017

TIME:

COURT ACTION: EO: COURT ORDER RESERVING RULING ON DEFENDANT J.M.L.'S MOTION TO STAY OR IN THE ALTERNATIVE DISMISS THIS ACTION

Plaintiff United Financial Casualty Company ("United Financial") filed its Complaint for Declaratory Relief ("Complaint") on September 1, 2016. On November 22, 2016, Defendant J.M.L., a minor, by and through her Guardian ad Litem, Michelle Rogers ("J.M.L."), filed a Motion to Stay or in the Alternative Dismiss this Action ("Motion"). [Dkt. no. 23.]

On February 17, 2017, the parties filed their Stipulation to Filing of First Amended Complaint ("Stipulation"). [Dkt. no. 27.] Also on February 17, United Financial filed its First Amended Complaint for Declaratory Relief ("First Amended Complaint"). [Dkt. no. 28.]

J.M.L.'s Motion remains pending before this Court because the Stipulation deems the Motion to be J.M.L.'s response to the First Amended Complaint. See Stipulation at 2. The First Amended Complaint, however, includes a number of new defendants. Because the ruling on the Motion may affect the new defendants' rights, this Court RESERVES RULING on J.M.L.'s Motion until United Financial completes service of the First Amended Complaint on all of the new defendants, and the new defendants have had the opportunity to respond to J.M.L.'s Motion.

This Court DIRECTS United Financial to provide a copy of this Entering Order to each new defendant. Any of the new defendants may file a response to J.M.L.'s Motion within **thirty days** after that new defendant is served with the First Amended Complaint.

IT IS SO ORDERED.

Submitted by: Warren N. Nakamura, Courtroom Manager