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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

REVEREND HEIDI LEPP, et al.,
Plaintiffs,
v.
YUBA COUNTY, et al.,
Defendants.

No. 2:17-cv-1317-GEB-EFB PS

ORDER

Defendants the County of Yuba, Jeremy Strang, Lori Ajax, and Michael Vroman moved to dismiss the complaint pursuant to Federal Rule of Civil Procedure (“Rule”) 12(b)(6). ECF Nos. 23, 24, 26. Defendant Vroman also moved to strike all unrepresented plaintiffs pursuant to Rule 12(f) (ECF No. 26), and defendant Chris Monaco moved to set aside the entry of his default (ECF No. 21). These motions, as well as plaintiffs’ motions for injunctive relief, were set for hearing on October 4, 2017.

In violation of Local Rule 230(c), plaintiffs failed to file an opposition or statement of non-opposition to defendants’ motions. Accordingly, the hearing the motions was continued to November 22, 2017, and plaintiffs were ordered, by no later than November 8, 2017, to file an opposition or statement of non-opposition to the motions and show cause why sanctions should not be impose for failure to timely file response to the pending motions. ECF No. 33. Thereafter, defendant Brandon Olivera filed a motion to strike pursuant to Rule 12(f) and to dismiss the

1 complaint pursuant to Rule 12(b)(6), which he noticed for hearing on November 22, 2017. ECF
2 No. 34.

3 On November 7, 2017, instead of filing a response to defendants' motions and the court's
4 order to show cause, plaintiffs Heidi Grossman-Lepp, Charles Edward Lepp, and Aaron
5 O'Connor filed a request for an extension of time to respond to defendants' motions. ECF No.
6 35. Plaintiffs claim that additional time is needed to sufficiently and accurately address
7 defendants' motions. In light of their pro se status, plaintiffs' request is granted.

8 Accordingly, it is hereby ORDERED that:

9 1. Plaintiffs' request for an extension of time to respond to defendants' motions (ECF No.
10 35) is granted.

11 2. The hearing defendants Yuba County, Strang, Ajax, and Vroman and Olivera's
12 motions to dismiss and/or strike (ECF No. 23, 24, 26, 34) and plaintiffs' motions for injunctive
13 relief (ECF No. 11, 12) is continued to January 10, 2018 at 10:00 a.m. in Courtroom No. 8.

14 3. Plaintiffs shall show cause, in writing, no later than December 20, 2017, why sanctions
15 should not be imposed for failure to timely file an opposition or a statement of non-opposition to
16 defendants Yuba County, Strang, Ajax, and Vroman's motions.

17 4. Plaintiffs shall file an opposition to the pending motions, or a statement of non-
18 opposition thereto, no later than December 20, 2017.

19 5. Failure to file an opposition to the motions will be deemed a statement of non-
20 opposition thereto, and may result in a recommendation that defendants' motions be granted
21 and/or the action be dismissed for lack of prosecution and/or for failure to comply with court
22 orders and this court's Local Rules. *See* Fed. R. Civ. P. 41(b).

23 6. Defendants may file a reply to plaintiffs' opposition, if any, on or before January 3,
24 2018.

25 DATED: November 14, 2017.

26 
EDMUND F. BRENNAN
27 UNITED STATES MAGISTRATE JUDGE
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