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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK & BOBBIE EDDY,  
  
  Plaintiffs,  
  
  v.  
  
FEDERAL HOME LOAN MORTGAGE  
CORPORATION, et al.,  
  
  Defendants.

No. 2:18-cv-0400 KJM DB PS

ORDER

Plaintiffs Mark Eddy and Bobbie Eddy are proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

Defendants’ motions to dismiss are noticed for hearing before the undersigned on August 3, 2018. (ECF Nos. 28, 33 & 34.) As plaintiffs were previously advised, Local Rule 230(c) provides that opposition to defendants’ motions should have been filed “not less than fourteen (14) days preceding the noticed . . . hearing date.” On July 27, 2018, just seven days prior to the August 3, 2018 hearing, plaintiffs filed an untimely opposition. (ECF No. 38.) That same day, defendants Federal Home Loan Mortgage Corporation and Bank of America, N.A., filed a reply arguing that they had been “severely prejudiced by plaintiffs’ untimely opposition by being unable to substantively respond to the opposition’s argument.” (Id. at 3.)


1           Given plaintiffs’ conduct, the undersigned finds good cause to continue the hearing of  
2 defendants’ motions to dismiss to provide defendants an opportunity to reply to plaintiffs’  
3 untimely opposition. Plaintiffs are again reminded that the failure to comply with the Local Rules  
4 or any order of this court “may be grounds for imposition by the Court of any and all sanctions  
5 authorized by statute or Rule or within the inherent power of the Court.” Local Rule 110. Any  
6 individual representing himself or herself without an attorney is bound by the Federal Rules of  
7 Civil Procedure, the Local Rules, and all applicable law. Local Rule 183(a). Failure to comply  
8 with applicable rules and law may be grounds for dismissal or any other sanction appropriate  
9 under the Local Rules. Id.

10           Accordingly, IT IS HEREBY ORDERED that:

11           1. The August 3, 2018 hearing of defendants’ motions to dismiss (ECF Nos. 28 & 34) is  
12 continued to **Friday, August 24, 2018, at 10:00 a.m.**, at the United States District Court, 501 I  
13 Street, Sacramento, California, in Courtroom No. 27, before the undersigned; and

14           2. Defendants may file a reply to plaintiffs’ untimely opposition on or before **August 17,**  
15 **2018.**

16 Dated: July 30, 2018

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20 DEBORAH BARNES  
21 UNITED STATES MAGISTRATE JUDGE

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23 DB/orders/orders.pro se/eddy0400.cont.hrg2.ord  
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