

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY KRAUS,  
Plaintiff,  
v.  
INDERJIT S. UBHI, et al.,  
Defendants.

No. 2:18-cv-0558-WBS-KJN

ORDER

Presently pending before the court is plaintiff's motion for default judgment, which is set for hearing on January 10, 2019. (ECF Nos. 15, 17.) Pursuant to Local Rule 230(c), defendants were required to file an opposition or statement of non-opposition to the motion no later than fourteen (14) days prior to the hearing date, i.e., by December 27, 2018. Although that deadline has passed, no opposition or statement of non-opposition was filed.

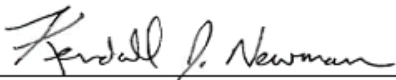
Out of abundance of caution, and in light of the court's desire to resolve the action on the merits, the court provides defendants with one additional, final opportunity to oppose the motion. Accordingly, IT IS HEREBY ORDERED that:

1. The January 10, 2019 hearing on plaintiff's motion for default judgment is VACATED and CONTINUED to February 14, 2019, at 10:00 a.m., in Courtroom No. 25 before Judge Newman.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

2. Any opposition shall be filed no later than January 31, 2019, and any reply brief is due February 7, 2019.
3. Defendants are cautioned that failure to respond to the motion in compliance with this order will be deemed to be their consent to a summary grant of the motion, and may result in the imposition of a default judgment against defendants.
4. Plaintiff shall promptly serve a copy of this order on defendants at their last-known addresses, and file a proof of service.

Dated: January 3, 2019

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE