

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH GUICE, et al.,
Plaintiffs,
v.
D&R CONSTRUCTION, et al.,
Defendants

No. C-09-1464 MMC

**ORDER GRANTING IN PART
DEFENDANT NEVEAUX’S MOTION FOR
ENLARGEMENT OF TIME; CONTINUING
CASE MANAGEMENT CONFERENCE;
DIRECTIONS TO PLAINTIFFS;
DIRECTIONS TO DEFENDANT
NEVEAUX**

Before the Court is plaintiffs’ Case Management Conference Statement, filed July 8, 2009.¹ Also before the Court is defendant Damian Neveaux’s (“Neveaux”) Motion for Enlargement of Time to Obtain Counsel to Respond to Civil Summons, filed July 1, 2009.

In their Statement, plaintiffs state they have been unsuccessful in determining from their process server whether defendant D&R Construction (“D&R”) has been served. According, the Court finds a continuance of the Case Management Conference is appropriate to afford plaintiffs the opportunity to serve D&R, if D&R in fact remains

¹Plaintiffs did not provide the Court with a chambers copy of their Statement. For future reference, plaintiffs are reminded of the following provision in the Court’s Standing Orders: “In all cases that have been assigned to the Electronic Case Filing Program, the parties are required to provide for use in chambers one paper copy of each document that is filed electronically. The paper copy of each such document shall be delivered no later than noon on the day after the document is filed electronically. The paper copy shall be marked ‘Chambers Copy’ and shall be delivered to the Clerk’s Office in an envelope clearly marked with the judge’s name, case number, and ‘E-Filing Chambers Copy.’”

1 unserved, and to file proof of service as to such defendant.

2 In his motion, Neveaux, who has been served, requests a 120-day extension of time
3 to respond to the complaint so that he may seek counsel. Although Neveaux fails to
4 provide good cause for a continuance of 120 days, the Court finds it appropriate to grant a
5 limited extension.

6 Accordingly, the Case Management Conference is hereby CONTINUED, and
7 Neveaux's motion is hereby GRANTED in part, as follows:

8 1. No later than August 21, 2009, Neveaux shall file a response to the complaint.

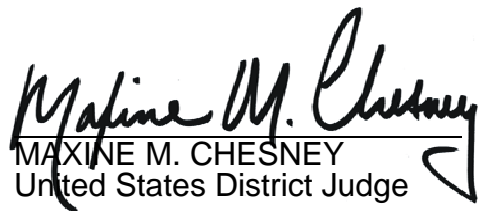
9 2. The Case Management Conference is continued from July 17, 2009 to
10 September 18, 2009. A Joint Case Management Statement shall be filed no later than
11 September 11, 2009.

12 Plaintiffs are hereby DIRECTED to serve a copy of this order on Neveaux and to file
13 proof of such service no later than July 16, 2009.

14 Further, Neveaux is hereby DIRECTED to provide the Court with an address at
15 which he may be served with documents in this case, and to do so no later than 14 days
16 from the date on which plaintiffs serve him with a copy of this order.²

17 **IT IS SO ORDERED.**

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19 Dated: July 14, 2009

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MAXINE M. CHESNEY
United States District Judge

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²Neveaux has not provided the Court with a service address.