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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL SOMERS,

Plaintiff,

v.

DIGITAL REALTY TRUST INC, et al.,

Defendants.

Case No. 14-cv-05180-EMC

**ORDER PARTIALLY GRANTING  
PLAINTIFF'S SECOND REQUEST FOR  
AN EXTENSION**

Docket No. 343

Defendants filed their motion for summary judgment on June 14, 2018, nearly one month ago. Plaintiff previously requested an extension to file his opposition July 26; the Court granted Plaintiff an extra two weeks, until today, July 12, to file his opposition. *See* Docket No. 339. This morning, Plaintiff filed an eleventh-hour request for another one-week extension to file his opposition brief.<sup>1</sup> Plaintiff does not explain why he waited until the last minute to request this relief. Further, Plaintiff admits he made no effort to confer with Defendants' counsel about a stipulation.

Plaintiff has failed to establish good cause for a second extension. He claims he needs additional time because he has "been managing a crisis with a loved one" and he has "found new evidence which impacts his response." He has not submitted a declaration to support his assertions, nor has he explained the nature of the crisis, the "new evidence," or how they prevent him from filing a timely response. Plaintiff has had four full weeks to prepare his opposition, twice the amount of time normally allotted. Although Plaintiff has not shown good cause, the

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<sup>1</sup> This is part of a long pattern of untimely or last-minute requests for scheduling changes. *See, e.g.*, Docket Nos. 313 (motion filed on April 26 to request the continuance of a hearing scheduled on April 19), 274 (motion filed on Feb. 12 to request extension of lapsed Feb. 8 deadline), 247 (motion filed on July 26, 2017 requesting extension of deadline for same date).


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Court will grant one last extension – Plaintiff must file his opposition by Monday, July 16. No further extensions will be granted. Defendant’s reply brief is still due on July 26. The hearing will proceed on August 2, as previously scheduled. The Court will not approve further modifications to the briefing or hearing schedule.

This order disposes of Docket No. 343.

**IT IS SO ORDERED.**

Dated: July 12, 2018

  
EDWARD M. CHEN  
United States District Judge