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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED ENERGY TRADING, LLC,

Plaintiff,

vs.

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation; ALBERT TORRES, an individual; BILL CHEN, an individual; TANISHA ROBINSON, an individual,

Defendants.

CASE NO. 3:15-CV-2383-RS

~~[PROPOSED]~~ ORDER GRANTING STIPULATED REQUEST TO EXTEND TIME TO RESPOND TO SECOND AMENDED COMPLAINT AND FOR AN ENLARGEMENT OF TIME TO FILE OPPOSITION AND REPLY BRIEFS IF A MOTION TO DISMISS IS FILED, PURSUANT TO CIVIL LOCAL RULES 6-1(b), 6-2, 7-12

Action Filed: May 28, 2015
2nd Am. Compl. Filed: May 13, 2016
Current Response Date: May 27, 2016
New Response Date: June 10, 2016

~~[PROPOSED]~~ ORDER REGARDING STIPULATED REQUEST TO EXTEND TIME

The Stipulated Request to Extend Time to Respond to Second Amended Complaint and for an Enlargement of Time to File Opposition and Reply Briefs if a Motion to Dismiss is Filed, Pursuant to Civil Local Rules 6-1(b), 6-2, 7-12 ("Stipulated Request"), agreed to by plaintiff United Energy Trading, LLC ("UET") and defendants Pacific Gas and Electric Company ("PG&E"), Albert Torres, Bill Chen and Tanisha Robinson (collectively, the "Individual Defendants," and together with PG&E, the "Defendants"), was submitted for Court approval on May 20, 2016. Having considered the Stipulated Request, and all other pleadings and papers on file in this Action, the Court rules as follows:

WHEREAS, UET filed a Second Amended Complaint on May 13, 2016;

WHEREAS, pursuant to Federal Rule of Civil Procedure ("Rule") 15(a)(3), Defendants' response to the Second Amended Complaint is currently due on May 27, 2016;

WHEREAS, counsel for Defendants have had scheduling conflicts with other cases during the time period contemplated by Rule 15(a)(3), including a multi-week Arbitration, and have scheduling conflicts with other cases through the end of May, which require travel outside the country, the collective effect of both being the interference with counsel's ability to adequately assess the Second Amended Complaint and advise Defendants;

WHEREAS, all parties have agreed that Defendants shall have until June 10, 2016, to answer or otherwise respond to the Second Amended Complaint;

WHEREAS, this extension of time does not affect any existing dates set forth in the Case Management Scheduling Order.

WHEREAS, if on June 10, 2016, Defendants file a Motion to Dismiss the Second Amended Complaint, then pursuant to Local Rule 7-3, UET's Opposition to that Motion would be due on June 24, 2016, and Defendants' Reply in Support of that Motion would be due July 1, 2016;

WHEREAS, all parties have agreed that if Defendants file a Motion to Dismiss on June 10, 2016 to respond to the Second Amended Complaint, than the standard briefing schedule required by Local Rule 7-3 should be enlarged as follows:

Brief	Standard Schedule	Stipulated Enlargement
Opposition Brief	June 24, 2016	July 1, 2016
Reply Brief	July 1, 2016	July 15, 2016

WHEREAS, the stipulated briefing enlargements are sought in advance of the expiration of any related filing deadline;

WHEREAS, the stipulated briefing enlargements do not affect any existing dates set forth in the Case Management Scheduling Order;

WHEREAS, the stipulated briefing enlargements maintain the minimum 35 day notice schedule contemplated by Local Rule 7-2;

WHEREAS, none of the extensions sought by the Stipulated Request prejudice the parties or the Court;

Good cause appearing therefor, **IT IS HEREBY ORDERED THAT:**

1. The date for Defendants to answer or otherwise response to UET's Second Amended Complaint is extended from May 27, 2016 through and including June 10, 2016;
2. If Defendants file a Motion to Dismiss the Second Amended Complaint on June 10, 2016 in response to UET's Second Amended Complaint, than the following briefing schedule will apply:
   - UET's Brief in Opposition to Defendants' Motion to Dismiss is due July 1, 2016; and
   - Defendants' Reply in Support of Motion Dismiss is due July 15, 2016.

SO ORDERED this 24th day of May, 2016.

By: _____
The Honorable Richard G. Seeborg
United States District Court Judge