

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICARDA CARIAS,
Plaintiff,
v.
UNITED STATES OF AMERICA,
Defendant.

Case No. 15-cv-05274-EDL

**ORDER GRANTING ADDITIONAL
TIME TO FILE REPLY**

On May 16, 2016, Defendant filed a motion to dismiss this action. Dkt. No. 36. Pursuant to Local Rule 7-3, Plaintiff's opposition was due on May 31, 2016. Plaintiff did not timely file any opposition, and on June 7 Defendant filed a reply brief pointing out the lack of opposition and reiterating the points made in its original motion. Dkt. No. 37. Later in the day after the reply brief was filed, and a week late, Plaintiff filed an opposition to the motion to dismiss. Dkt. No. 38.

The Court has previously cautioned Plaintiff that he must strictly adhere to the Federal Rules of Civil Procedure as well as the Local Rules of this Court. See Dkt. No. 35 at 5. Plaintiff's failure to timely oppose the Motion to Dismiss flies in the face of this explicit warning and it would be within the Court's discretion to strike the untimely opposition. Nevertheless, in the interest of justice and in light of the public policy favoring the disposition of actions on their merits, the Court will consider the opposition. Defendant shall have until June 14 to file a reply brief addressing the points raised in Plaintiff's opposition.

IT IS SO ORDERED.

Dated: June 8, 2016


ELIZABETH D. LAPORTE
United States Magistrate Judge