

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
NORTHERN DISTRICT OF CALIFORNIA

CAMOFI MASTER LDC, et al.,

Plaintiffs,

v.

ASSOCIATED THIRD PARTY
ADMINISTRATORS, et al.,

Defendants.

Case No. 16-cv-00855-EMC

**ORDER GRANTING DEFENDANTS’
REQUEST FOR AN EXTENSION OF
TIME**

Docket No. 22

Defendant Jesse M. Kessler has filed a request for an extension of time to respond to Plaintiffs’ complaint. Mr. Kessler has filed the request on his own behalf as well as on the behalf of an affiliated entity, Defendant Med-Tech Health Solutions, LLC.¹ Mr. Kessler has not identified how long of an extension he seeks. He simply states that an extension is needed in order to hire an attorney to represent him and Med-Tech.

Plaintiffs have opposed the request. Plaintiffs note that Defendants seem to have mailed their request for an extension before Plaintiffs filed their amended complaint.² According to Plaintiffs, because of the filing of the amended complaint, Defendants will have even more time to file a response – especially because Plaintiffs have not even served their amended complaint on Defendants as of yet. Plaintiffs ask that, at most, the Court give Defendants 21 days after service of the amended complaint to file a response, or 21 days after entry of the Court’s order granting an

¹ As Mr. Kessler does not appear to be an attorney, he technically cannot make a request on behalf of Med-Tech. *See* Civ. L.R. 3-9(b) (providing that “[a] corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court”). However, as Mr. Kessler is only making the request in order for Med-Tech (and himself) to get counsel, the Court shall consider the request.

² Mr. Kessler’s request is dated March 31, 2016; Plaintiffs’ amended complaint was filed on April 4, 2016.

1 extension (whichever is later).

2 The Court hereby **GRANTS** Defendants' request for an extension. Plaintiffs have not
3 demonstrated that an extension would cause them any prejudice. As Plaintiffs have not identified
4 a date certain by which the amended complaint shall be served on Defendants, the Court orders as
5 follows.

6 Plaintiffs shall serve the amended complaint on Defendants within three weeks of the date
7 of this order. Defendants shall then have six weeks after service of the amended complaint to
8 make an appearance in this case and respond to the amended complaint. Mr. Kessler is advised
9 that, while he may appear in the case pro se, Med-Tech may not. *See* note 1, *supra*. If an attorney
10 does not make an appearance on Med-Tech's behalf, then there is a risk that a default may be
11 entered against it.

12 The Court orders Plaintiffs to **immediately** serve a copy of this order on Defendants. If
13 Plaintiffs have an e-mail address for Mr. Kessler, then it should also serve a copy of this order by
14 e-mail as a courtesy.

15 This order disposes of Docket No. 22.

17 **IT IS SO ORDERED.**

19 Dated: April 19, 2016



EDWARD M. CHEN
United States District Judge

20
21
22
23
24
25
26
27
28