

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

KUMAN BANQUE, LLC,

No. C 11-4472 CW

Plaintiff,

ORDER GRANTING
UNOPPOSED MOTION
TO SET ASIDE ENTRY
OF DEFAULT OF
BRYNEE K. BAYLOR
(Docket No. 115)
AND ADDRESSING
FUTURE DATES

v.

BRYNEE K. BAYLOR; BAYLOR &
JACKSON, PLLC; THE MILAN GROUP,
INC.; SUSAN KEVRA-SHINER, as
Executrix for the estate of Frank
Lorenzo Pavlico III; GPH
HOLDINGS, LLC; PATRICK LEWIS;
BRETT A. COOPER; DAWN R. JACKSON;
SUSAN C. KEVRA; MIA C.
BALDASSARI; ELMO BALDASSARI; THE
LAW OFFICE OF SUSAN C. KEVRA; and
DOES 1-50,

Defendants.

United States District Court
For the Northern District of California

On February 15, 2013, Defendant Brynee K. Baylor filed a motion to set aside the entry of default against her.¹ Docket No. 115. Baylor represents that she was not aware of the amended pleadings in this action or the case management conferences because the notices were mailed to her former office, from which she had relocated over a year ago. With her motion, Baylor has filed a notice of her change of address and an answer to the first amended complaint. Docket Nos. 114, 116.

Plaintiff Kuman Banque, LLC has filed a statement of non-opposition to Baylor's motion. Docket No. 125. Accordingly,

¹ In her motion, Baylor seeks to vacate a default judgment entered against her pursuant to Federal Rule of Civil Procedure 60(b). However, no judgment has been entered in this action. Accordingly, the Court construes Baylor's motion as an effort to set aside entry of default pursuant to Federal Rule of Civil Procedure 55(c).

1 the Court GRANTS Baylor's unopposed motion to set aside entry of
2 default (Docket No. 115). The Clerk of the Court is directed to
3 set aside the default of Baylor.

4 The Court reminds the parties that, pursuant to Civil Local
5 Rule 3-11, if their address changes while this action is pending,
6 they are required to "promptly file with the Court and serve upon
7 all opposing parties a Notice of Change of Address specifying the
8 new address" and that failure to do so in the future may result in
9 the striking of their answer or dismissal of their claims.

10 The Court maintains the case management dates previously set
11 in this action, except that it sets a further case management
12 conference for July 25, 2013 at 2:00 p.m. to take place alongside
13 the dispositive motion hearing and vacates the case management
14 conference that was previously set for August 7, 2013 at 2:00 p.m.
15 See Docket Nos. 104, 120, 123. The further case management
16 conference will take place on July 25, 2013 regardless of whether
17 a dispositive motion is filed.

18 The case management dates set in this action are applicable
19 to all parties, including Baylor. The Court warns Baylor that
20 failure to appear at future court dates, including the July 25,
21 2013 case management conference and motion hearing, may result in
22 the striking of her answer and entry of default against her.

23 IT IS SO ORDERED.

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25 Dated: 3/5/2013

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CLAUDIA WILKEN
United States District Judge