

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PIKAMAB, INC.,
Plaintiff,
v.
UNIVERSITY OF ALABAMA,
BIRMINGHAM, et al.,
Defendants.

Case No. [16-cv-02370-JSW](#)

**ORDER VACATING MOTION
HEARING ON MOTIONS TO DISMISS
AND SETTING HEARING ON MOTION
TO WITHDRAW AS COUNSEL**

Re: Dkt. Nos. 17, 18, 22

On April 30, 2016, Plaintiff filed its complaint against Defendants. On July 13, 2016, Defendants filed motions to dismiss, which are set for a hearing on August 26, 2016. For the reasons set forth in this Order, the hearing on those motions is VACATED pending further order of the Court. The parties are HEREBY ORDERED to appear on that date and time for the Court to consider the motion to withdraw and the request for an extension of time to respond to the motions to dismiss.

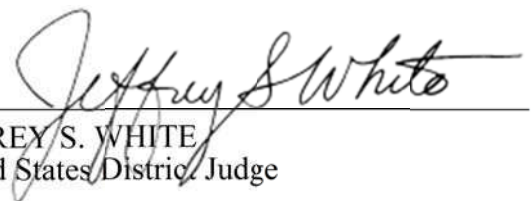
Pursuant to the Northern District Civil Local Rules an opposition to a motion “must be filed and served not more than 14 days after the motion was filed.” N.D. Civ. L.R. 7-3(a). Pursuant to that Rule, Federal Rule of Civil Procedure 6(d) “does not apply and thus does not extend this deadline.” *Id.* Thus, under the Local Rules, Plaintiff’s opposition briefs were due on July 27, 2016, not August 5, 2016. It appears that Defendants docketed an incorrect response date. However, on August 5, 2016, instead of filing opposition briefs, Plaintiff’s counsel filed a motion to withdraw. Defendants have not opposed that motion. Plaintiff has also moved for an extension of time to respond to the motions to dismiss. Although Defendants agreed to an extension of fourteen days, Plaintiff’s counsel has represented that Plaintiff now seeks an extension of six weeks.

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Although the Court is inclined to find good cause to grant the motion to withdraw and to permit a reasonable extension of time to respond to the motions, Plaintiff is a corporation, and “a corporation may appear in the federal courts only through licensed counsel.” *See Rowland v. California Men’s Colony*, 506 U.S. 194, 202 (1993); *see also* Northern District Civil Local Rule 3-9(b). Because the Court has no information about Plaintiff’s efforts to retain new counsel, it **HEREBY ORDERS** the parties and one of Plaintiff’s representatives to appear on August 26, 2016 at 9:00 a.m. as previously scheduled to address the status of Plaintiff’s efforts to obtain new counsel. The Court will re-set the briefing schedule at that time, but it places plaintiff on notice that, absent extraordinarily good cause, it will not grant an extension of more than 45 days from the date of this Order to respond to the motions.

IT IS SO ORDERED.

Dated: August 8, 2016



JEFFREY S. WHITE
United States District Judge