

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 KINGSWAY CAPITAL PARTNERS, LLC,  
4 Plaintiff,  
5 v.  
6 CALIBER HOME LOANS, INC., et al.,  
7 Defendants.  
8

Case No. 16-cv-04798-PJH

**ORDER DENYING AS MOOT MOTION  
TO EXTEND TIME TO FILE FIRST  
AMENDED COMPLAINT**

Re: Dkt. No. 91

9  
10 Before the court is former plaintiff Nathaniel Basola Sobayo's motion to extend the  
11 deadline for plaintiff Kingsway Capital Partners, LLC ("Kingsway") to file an amended  
12 complaint. Dkt. 91. Subsequent to the filing of this motion, counsel for Kingsway entered  
13 an appearance on the docket and filed an amended complaint on behalf of Kingsway on  
14 December 22. Dkt. 93, 96. Since the amended complaint has now been filed, the court  
15 DENIES the motion to extend time as MOOT.

16 Per the court's October 27, 2016 order, Sobayo was to obtain counsel for his LLC  
17 Kingsway and file an amended complaint by December 12. Dkt. 88. Although the  
18 amended complaint was therefore 10 days late, the court will permit the filing. Plaintiff is  
19 admonished, however, that the court will not be as lenient regarding court-ordered  
20 deadlines in the future. Moreover, plaintiff shall not make any further pro se filings in this  
21 case, now that Kingsway has secured representation. See Dkt. 94 (pro per reply brief).  
22 This court has already ruled that Sobayo lacks standing in this matter and that Kingsway  
23 may only appear through counsel.

24 Defendants shall file a response to the amended complaint by **January 17, 2017**.

25 **IT IS SO ORDERED.**

26 Dated: December 27, 2016

27 

28 PHYLLIS J. HAMILTON  
United States District Judge