

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RICHARD T. MCREE,)	Case No.: 11-CV-00991-LHK
)	
Plaintiff,)	ORDER GRANTING IN PART AND
v.)	DENYING IN PART DEFENDANT
)	DOUGLAS E. GOLDMAN’S MOTION
RICHARD N. GOLDMAN, ET AL.,)	TO ENLARGE TIME TO RESPOND TO
)	PLAINTIFF’S FIRST AMENDED
Defendants.)	COMPLAINT
)	

On November 14, 2011, Defendant Douglas E. Goldman (“Defendant”) moved the Court for an order extending the time for Defendant to respond to Plaintiff’s First Amended Complaint (“FAC”) from November 21, 2011 to December 21, 2011. Defendant’s only ground for requesting additional time to respond is the lengthiness of the FAC. Whereas Plaintiff’s original Complaint was 29 pages, the FAC is 50 pages long. Pro se Plaintiff Richard T. McRee (“Plaintiff”) opposes this Motion, arguing that the Court granted him only 21 days from the date of its October 12, 2011 Order Granting Defendant’s Motion to Dismiss to file a First Amended Complaint, with which he complied in full. *See* FAC, ECF No. 61.

The Court agrees with Plaintiff that Defendant has not shown good cause justifying a one month extension. Neither side is entitled to any extensions as a matter of right. Furthermore, Defendant is represented by able counsel, whereas Plaintiff is representing himself pro se. Nevertheless, due to the fact that Plaintiff has filed a FAC nearly twice the length of his original

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Complaint, notwithstanding the Court's admonition to comply with Federal Rule of Civil Procedure 8(a)(2), *see* ECF No. 60 at 13, and the fact that Plaintiff was granted 21 days to amend his Complaint, the Court finds it reasonable also to allow Defendant 21 days to respond to Plaintiff's enlarged FAC. Accordingly, Defendant's response shall be due Monday, November 28, 2011.

IT IS SO ORDERED.

Dated: November 21, 2011



LUCY H. KOH
United States District Judge