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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CARL MARSCHELLAS, et al.,
Plaintiffs,
v.
WELLS FARGO BANK, N.A., et al.,
Defendants.

Case No. [13-cv-05806-BLF](#)

**ORDER GRANTING DEFENDANT
EXTENSION OF TIME TO FILE A
REPLY**

[Re: Dkt No. 25]

The Court is scheduled to hear oral argument on Defendant Wells Fargo Bank, N.A.'s Motion to Dismiss on June 26, 2014. At the Court's Case Management Conference on May 6, 2014, the Court deemed the Motion to Dismiss to be fully briefed, as Plaintiffs had not at that time filed a responsive pleading to the Motion.

Thereafter, on May 23, 2014, Plaintiffs, proceeding pro se, filed an untimely Opposition. (ECF 24) Defendant's Reply, filed on June 3, 2014, asked the Court to ignore this untimely Opposition, or, in the alternative, grant Defendant an extension of time by which it could meaningfully respond to the arguments raised in the Opposition. (ECF 25)


The Court will consider Plaintiffs' Opposition, despite its untimely filing. Recognizing the need to provide Defendant Wells Fargo Bank, N.A., the opportunity to meaningfully respond to the arguments raised in the Opposition, however, the Court GRANTS Defendant an additional seven (7) days in which to file a substantive Reply brief. This Reply will be due no later than June 23, 2014.

The Court will hear oral argument on the Motion to Dismiss as scheduled, on June 26, 2014, at 9 a.m.

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IT IS SO ORDERED.

Dated: June 16, 2014


BETH LABSON FREEMAN
United States District Judge