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5 **UNITED STATES DISTRICT COURT**
6 **NORTHERN DISTRICT OF CALIFORNIA**
7 **SAN JOSE DIVISION**

8 GREG STEVEN ELOFSON,
9 Plaintiff,

10 v.

11 STEPHANIE BIVENS, et al.,
12 Defendants.

Case No. 15-cv-05761-BLF

**ORDER GRANTING DEFENDANT
SCARINGELLI'S APPLICATION FOR
EXTENSION OF DEADLINE TO FILE
REPLY BRIEF**

[Re: ECF 126]

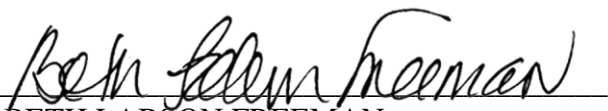
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15 The Court has reviewed Defendant Scaringelli's application for a fourteen-day extension
16 of time to file a reply brief in support of his motion to dismiss, ECF 126, and Plaintiff's response
17 thereto, ECF 127. While stopping short of actually opposing the application or requesting that it
18 be denied, Plaintiff points out that Defendant Scaringelli is required to brief only his own motion
19 to dismiss while Plaintiff is required to brief six motions to dismiss brought by six different
20 defendants. The Court acknowledges the disparity of the burdens placed upon Plaintiff and
21 Defendant Scaringelli with respect to the pending motions. However, that disparity does not
22 constitute grounds for denying Defendant Scaringelli's application for an extension of time where,
23 as here, granting the extension will not prejudice Plaintiff or impact the Court's ability to prepare
24 for the hearing. The Court notes that it previously has granted requests of a similar nature brought
25 by Plaintiff, on one occasion a request to exceed the applicable page limit and on another a request
26 to extend time for service of process. *See* Order Granting Plaintiff's Motion to Exceed Applicable
27 Page Limit, ECF 88; Order Granting Plaintiff's Motion to Extend Time for Service of Process on
28 Defendant McCullum, ECF 95.

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Accordingly, Defendant Scaringelli’s application for an extension of time is GRANTED
and his deadline for filing a reply brief is EXTENDED to July 15, 2016.

IT IS SO ORDERED.

Dated: June 27, 2016


BETH LABSON FREEMAN
United States District Judge