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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHELBY GAIL HEIFETZ,
Plaintiff,
v.
WEST SAN CARLOS COURT
APARTMENTS, LLC, et al.,
Defendants.

Case No. 17-cv-01451 NC

**ORDER TO SHOW CAUSE
REGARDING MOTION FOR
DEFAULT JUDGMENT**

Re: Dkt. No. 13

Plaintiff Shelby Gail Heifetz filed a motion for default judgment against defendants West San Carlos Court Apartments, LLC, Rene Juarez, and Rhina Judith Juarez. Dkt. No. 13. In her motion, Heifetz did not address the factors set forth by the Ninth Circuit in *Eitel v. McCool* to assist the Court in determining whether default judgment is warranted. 782 F.2d 1470, 1471-72 (9th Cir. 1986). Those factors are: (1) the possibility of prejudice to the plaintiff; (2) the merits of the plaintiff's substantive claim; (3) the sufficiency of the complaint; (4) the sum of money at stake in the action; (5) the possibility of a dispute concerning material facts; (6) whether the default was due to excusable neglect; and (7) the strong policy favoring decisions on the merits. *Eitel*, 782 F.2d at 1471-72.

Thus, the Court ORDERS Heifetz to file with the Court a brief not to exceed 10 pages addressing each of the seven *Eitel* factors by October 4, 2017.

IT IS SO ORDERED.

Dated: September 27, 2017


NATHANAEL M. COUSINS
United States Magistrate Judge