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default judgment. Most importantly, Ellis hasn't shown that the alleged seven day delay

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

SHA'LENA ELLIZABETHANN ELLIS,

Plaintiff,

KAISER PERMANENTE, et al.,

VS.

Defendants.

CASE NO. 3:16-cv-00195-LAB-KSC

ORDER DENYING ELLIS' PENDING MOTIONS AND DEFENDANTS' REQUEST FOR SANCTIONS

Sha'lena Ellizabethann Ellis contends that the defendants were seven days late in filing their Answer. (See Docket nos. 21 and 28.) So she filed several motions requesting that the Court reject the Answer and enter default in her favor. (Docket nos. 31, 33, 35, and 37.)

A court has discretion in granting default judgment and should consider the following factors in making its decision:

(1) the possibility of prejudice to the plaintiff, (2) the merits of 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 underlying the Federal Rules of Civil Procedure favoring decisions on the merits.

Eitel v. McCool, 782 F.2d 1470, 1471–72 (9th Cir. 1986). These factors don't favor entry of

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caused her prejudice, and hasn't provided facts to overcome the strong policy favoring decisions on the merits.

Ellis' pending motions (Docket nos. 31, 33, 35, and 37) are **DENIED**.

IT IS SO ORDERED.

DATED: July 20, 2016

HONORABLE LARRY ALAN BURNS United States District Judge

Lawy A. Burn

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