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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

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11 FEDERAL TRADE COMMISSION

12 Plaintiff,

13 v.

14 AUTOMATORS LLC, *et al.*,

15 Defendants,

16  
17 PEREGRINE WORLDWIDE, LLC,

18 Relief Defendant.  
19

Case No. 23-cv-1444-BAS-LSC

**ORDER GRANTING MOTION TO  
EXTEND TIME TO ANSWER THE  
COMPLAINT**

**(ECF No. 41)**

20 Defendants Automators LLC, Stryder Holdings LLC, Pelenea Ventures LLC,  
21 Roman Cresto, John Cresto, and Andrew Chapman and Relief Defendant Peregrine  
22 Worldwide, LLC (collectively, the “Moving Defendants”) move for an extension of time  
23 to answer the FTC’s Complaint (ECF No. 1) until October 23, 2023 (Mot., ECF No. 41).  
24 They claim an extension is needed to “give [Moving] Defendants’ counsel sufficient time  
25 to investigate the facts, so they can properly evaluate the FTC[’]s claims,” and to “explore  
26 an early resolution to this case with the FTC.” (Mot. ¶ 4.) Furthermore, Moving  
27 Defendants aver an extension also would enhance efficient case management because it  
28 would align the Moving Defendants’ answer date with that of Defendants Empire


1 Ecommerce LLC and Onyx Distribution LLC. (*Id.* ¶ 3.) This is Moving Defendants’ first  
2 request for an extension.

3 Notwithstanding the FTC’s apparent unwillingness to agree to the full proposed  
4 extension,<sup>1</sup> the reasons proffered by Moving Defendants in support of an extension support  
5 a finding of “good cause.” *See* Fed. R. Civ. P. 6(b)(1)(a) (“When an act may or must be  
6 done within a specified time, the court may, for good cause, extend the time . . . with or  
7 without motion or notice if the court acts, or if a request is made, before the original time  
8 or its extension expires[.]”); *cf. Cook v. Kernan*, No. C 15-6343 WHA, 2016 WL 6143037,  
9 at \*1 (N.D. Cal. Oct. 21, 2016) (granting request for an extension of time to permit “counsel  
10 to familiarize themselves with the many facts and legal questions at issue”); *Grand & Elm*  
11 *Props., LP v. Cellular Sales of Cal., LLC*, No. LA CV21-7357 JAK (GJSx), 2022 WL  
12 3012826, at \*1 (C.D. Cal. Jan. 12, 2022) (finding good cause where retroactive extension  
13 of time served “the interest of judicial and party efficiency”). The Court also finds  
14 significant that the FTC’s temporary restraining order (“TRO”) is in place until September  
15 19, 2023, and that the FTC has moved to convert the TRO into a Preliminary Injunction  
16 (“P.I.”). (*See* ECF Nos. 5, 8, 34.) The emergency relief that the FTC has obtained and the  
17 additional relief it seeks serve as a bulwark against any prejudice that might befall the FTC  
18 and Defendants’ consumers from a modest extension of the Moving Defendants’ answer  
19 deadline. *Cf. Navarette v. Poly W. Inc.*, No. 2:18-cv-1805-GMN-NJK, 2020 WL  
20 13535369, at \*3 (D. Nev. Jan. 23, 2020) (finding good cause to extend where request was  
21 movant’s first and there did not exist any apparent prejudice).

22 Accordingly, the Court **GRANTS** the Moving Defendants’ request and **ORDERS**  
23 them to respond to the Complaint **by no later than October 23, 2023**. (ECF No. 41.)

24 **IT IS SO ORDERED.**

25 **DATED: September 6, 2023**

  
26 **Hon. Cynthia Bashant**  
27 **United States District Judge**

28 <sup>1</sup> Moving Defendants met and conferred with the FTC on August 29, 2023, during which “the FTC would only agree to extend the response date to September 22. (Mot. at p. 1 n.1.)