

Civ. P. 12(a)(1)(A)(i) (allowing 21 days to respond to a complaint). The Defendants contend their response was timely because they complied with the Court's CM/ECF Administrative Procedures for electronic filing, which provides that "[f]or the purpose of computing time pursuant to applicable rules, allow three (3) days for both mail and electronic service." CM/ECF Administrative Procedures at 6.

The Court doubts this additional three days applies to answers filed in response to complaints personally served on a defendant. See Fed. R. Civ. P. 5(b)(2); 6(d) (providing an additional three days response time when the complaint was *not* personally served). However, the Defendants' reliance on the Court's CM/ECF Administrative Procedures appears to have been in good faith, and their construction of its provisions is not entirely unreasonable even if it is wrong. Given that the answers were only one day late, that the Defendants are clearly ready to defend, that there has been no prejudice to the Plaintiff, and that the Court prefers to resolve disputes on their merits, the Court finds good cause has been shown to set aside the Clerk's entry of default.

Accordingly, it is **ORDERED** that the Clerk's entry of default against the Defendants be set aside. This case shall continue in the regular fashion.

SO ORDERED, this 4th day of June, 2014.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT