

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:13-CV-00467-FDW**

**LEE ANN PRIDGEON, L.I.G. SERVICES,
INC., and JOHN DOES 1-100,**)

Plaintiffs,)

vs.)

**RICK RYAN PEGRAM, DEBRA R.
PEGRAM, and JOHN DOES 1-10,**)

Defendant.)

ORDER

THIS MATTER is before the Court *sua sponte* after the Court reviewed the docket in this matter and discovered that Defendants have failed to file an answer to Plaintiff’s Amended Complaint. The Court notes that Defendants’ pending Motion to Dismiss is based on Rule 12(b)(6) and 12(b)(7) of the Federal Rules of Civil Procedure and therefore did not toll the deadline to file an answer under the Standing Order Governing Civil Case Management Before the Honorable Frank D. Whitney, Misc. No. 3:07-mc-00047 (Doc. No. 2). This Standing Order, which was transmitted to Defendants via ECF on August 15, 2013, as noted on the docket, states “a defendant who contemplates filing a Rule 12(b)(6) motion must still serve and file a timely responsive pleading.” (Id. (emphasis in original)).

Accordingly, the Court hereby *sua sponte* extends the time for Defendants to file an answer to Plaintiffs’ Amended Complaint until 5:00 p.m. on Friday, April 11, 2014. If Defendants fail to file an answer, the Court will entertain a motion for entry of default. Additionally, counsel shall immediately familiarize themselves with this Court’s Standing Orders so that future issues such as this do not arise again in these proceedings.

IT IS SO ORDERED.

Signed: April 9, 2014



Frank D. Whitney
Chief United States District Judge

