

1  
2  
3 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
4

5 NATIONAL ELECTRICAL  
ANNUITY PLAN,

6 Plaintiff-in-Interpleader,

7 v.

8 SHAWNA T. ROYBAL, JEREMY L.  
HILL, and CHRISTOPHER A. HILL,

9 Defendants-in-Interpleader.  
10

No. 1:15-CV-03213-SMJ

**ORDER GRANTING MOTION TO  
VACATE THE CLERK'S ORDER  
OF DEFAULT AGAINST JEREMY  
L. HILL AND CHRISTOPHER A.  
HILL AND SETTING DEADLINE  
TO ANSWER OR OTHERWISE  
RESPOND**

11 Before the Court, without oral argument, is Defendants-in-Interpleader  
12 Jeremy L. Hill and Christopher A. Hill's Motion to Vacate the Clerk's Order of  
13 Default Against Jeremy L. Hill and Christopher A. Hill, ECF No. 26. Through this  
14 motion, Defendants-in-Interpleader Hill move for an order vacating the Clerk's  
15 Order of Default, ECF No. 14 and 17<sup>1</sup>, and to extend their deadline to answer,  
16 move, or otherwise respond to Plaintiff's Complaint. ECF No. 26 at 1. No  
17 response opposing the request has been filed. Pursuant to Local Rule 7.1(b)(2)(B),  
18 a party intending to file a response to the motion had 14 days from the time  
19

20 <sup>1</sup> Although Defendants-in-Interpleader Hill's motion only references ECF No. 14, the Court assumes this was an oversight given that the remainder of the motion references both Jeremy L. Hill and Christopher A. Hill.

**ORDER GRANTING MOTION TO VACATE AND SETTING DEADLINE TO  
ANSWER OR OTHERWISE RESPOND - 1**

1 Defendants-in-Interpleader Hill filed their motion to do so. Since more than 14  
2 days have passed, the Court considers the motion. Having reviewed the pleadings  
3 and the file in this matter, the Court is fully informed and grants the motion.

4 Federal Rule of Civil Procedure 55(c) permits courts to set aside an entry of  
5 default for good cause. Here, Defendants-in-Interpleader Hill aver they have been  
6 engaged in negotiations with Roybal regarding this dispute, albeit sporadically.  
7 Moreover, given that this Court provided Defendants-in-Interpleader Hill a final  
8 opportunity to reengage in this litigation because of their prior appearance and the  
9 amount of money at issue, ECF No. 24 at 3–4, the Court finds good cause and  
10 grants the motion.

11 Furthermore, the Court orders Defendants-in-Interpleader to answer, move,  
12 or otherwise respond to Plaintiff’s Complaint no later than March 30, 2017. The  
13 Court will also set a scheduling conference in a separate order.

14 Accordingly, **IT IS HEREBY ORDERED:**


- 15 **1.** Defendants-in-Interpleader Jeremy L. Hill and Christopher A. Hill’s  
16 Motion to Vacate the Clerk’s Order of Default Against Jeremy L.  
17 Hill and Christopher A. Hill, **ECF No. 26**, is **GRANTED**.
- 18 **2.** The Clerk’s Orders of Default as to Jeremy L. Hill and Christopher  
19 A. Hill, **ECF No. 14 and 17**, respectively, are **VACATED**.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

3. Defendants-in-Interpleader Jeremy L. Hill and Christopher A. Hill are **ORDERED** to answer, move, or otherwise respond to Plaintiff's Complaint **no later than March 30, 2017**.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 9<sup>th</sup> day of March 2017.

  
\_\_\_\_\_  
SALVADOR MENDOZA, JR.  
United States District Judge