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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SABREENA J. SCHNEIDER,

Plaintiff,

v.

TWIN CITY FIRE INSURANCE
COMPANY,

Defendant.

CASE NO. 2:11-CV-00004-MJP

ORDER TO CAUSE

On February 18th, Plaintiff filed a Motion for Order of Default for Defendants' Failure to Answer (Dkt. No. 9), alleging that more than 21 days had elapsed since Defendants were properly served with a copy of the summons and complaint and after the notice of removal had been filed. Since Defendants have failed to file an answer within that period, Plaintiff requests, pursuant to FRCP 81(c)(2), that a default be issued in her favor.

Defendants have filed an objection to the motion (Dkt. No. 11). Their defense to Plaintiff's motion consists of a representation that they have filed a Notice of Appearance and that Plaintiff's motion was somehow improperly noticed under Local Rule 7(d)(1). In view of

1 the fact that FRCP 81(c)(2) requires the filing of an answer (not a Notice of Appearance) within
2 the statutory period and that LR 7(d)(1) references FRCP 55(a), the Court is at a loss to
3 understand Defendants' objection. Therefore

4 IT IS ORDERED that Defendants must show written cause by no later than **March 7,**
5 **2011** why default should not be entered in this matter for their failure to file an answer to the
6 complaint in accordance with FRCP 81(c)(2). Defendants' pleading shall not exceed three (3)
7 pages in length; Plaintiff will not be required to respond to this pleading unless directed by the
8 Court.

9 The clerk is ordered to provide copies of this order to all counsel.

10 Dated this __28th__ day of February, 2011.

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14 Marsha J. Pechman
United States District Judge