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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 ALEXANDER McLAREN, et al.,

8 Appellants,

9 v.

10 PETER H. ARKISON, et al.,

11 Respondents.

C14-575 TSZ

ORDER

12 THIS MATTER comes before the Court on the motion of respondents Thomas  
13 Hsueh, Triton Engineering, Inc., and Triton-America, LLC (collectively, "Triton") to  
14 dismiss this bankruptcy appeal, docket no. 53, which was joined by respondent Peter H.  
15 Arkison, trustee in the bankruptcy case of appellant Alexander McLaren, docket no. 56.  
16 Having reviewed the motion and joinder, as well as appellants' motion for extension of  
17 time, docket no. 55, and the response thereto, docket no. 57, the Court hereby ORDERS:

18 (1) Appellants' motion for extension of time, docket no. 55, is DENIED.

19 Appellants' opening brief was due on June 30, 2015. Appellants did not seek an  
20 extension of this due date until August 3, 2015, over a month after the deadline had  
21 expired and almost three weeks after Triton moved to dismiss the appeal for failure to  
22 prosecute. Appellants' request for an extension is untimely. *See* Local Civil Rule 7(j).  
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1 Moreover, appellants' motion is without merit. Even if appellant Alexander McLaren  
2 had medical reasons for not timely submitting an opening brief, appellants Thomas  
3 McLaren and Ruth Edwards cannot rely on such grounds and have provided no excuse  
4 for failing to file an opening brief.<sup>1</sup> Alexander McLaren's contention that his health  
5 impeded his ability to timely file an opening brief is unsupported by credible evidence.  
6 The hand-written note from Reza Hosseini Ghomi, MD, a copy of which is attached to  
7 appellants' motion for extension, see docket no. 55 at 7, is not dated, does not indicate  
8 when or why Alexander McLaren was hospitalized, and provides no timeframe for the  
9 90-day period during which he "should avoid physical and mental exertion." The hand-  
10 written note is also not consistent with Alexander McLaren's assertion that he was  
11 hospitalized for a "life-threatening pulmonry [sic] condition," Mtn. at 3 (docket no. 55),  
12 given that Dr. Ghomi is a resident physician at the University of Washington in the  
13 Psychiatry and Behavioral Sciences Department, see [http://www.rezahosseiniighomi.com/](http://www.rezahosseiniighomi.com/about.html)  
14 [about.html](http://www.rezahosseiniighomi.com/about.html); see also Resp. at 9 (docket no. 57), and is not a pulmonologist, primary care  
15 physician, or similar practitioner.

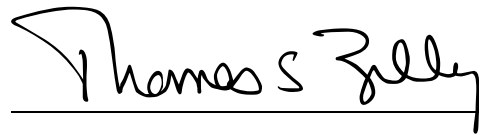
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18 <sup>1</sup> The additional appeals that Thomas McLaren and Ruth Edwards have recently filed do not provide any  
19 basis for delaying the briefing schedule in this matter, particularly when one of those cases has already  
20 been dismissed for failure to prosecute, see Order (docket no. 6, C15-741-MJP), an order to show cause  
21 has been issued in another matter, see Order (docket no. 6, C15-740-JCC), and notices of deficiency have  
22 been entered in the two other appeals, see Notice (docket no. 4, C15-809-RSM); Notice (docket no. 4,  
23 C15-810-JCC). Among the deficiencies identified in each of the four recent appeals was the failure to  
pay the requisite filing fee. To the extent Thomas McLaren and Ruth Edwards seek to have the appellate  
filing fees waived, they must file motions in the appropriate cases; the undersigned cannot grant relief in  
cases assigned to other judges.

1 (2) Respondents' motion to dismiss appeal, docket nos. 53 & 56, is  
2 GRANTED. This appeal is DISMISSED for failure to prosecute.

3 (3) The Clerk is DIRECTED to CLOSE this case and to send a copy of this  
4 Order to all counsel of record and to appellants pro se.

5 IT IS SO ORDERED.

6 Dated this 19th day of August, 2015.

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9 Thomas S. Zilly  
10 United States District Judge