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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 JANET ROE,

11 Plaintiff,

12 v.

13 SEATREE PLLC, et al.

14 Defendants.  
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Case No. C17-1623RSM

ORDER DENYING PLAINTIFF'S  
MOTION FOR RELIEF FROM A  
DEADLINE

16 This matter comes before the Court on Plaintiff's "Motion to Enlarge Time to Reply re:  
17 Defendant's CR 12 (b)(6) Motion to Dismiss," filed November 22, 2017, and noted for  
18 consideration on December 1, 2017. Dkt. #13. Plaintiff requests an extension of time to file a  
19 Response to Defendants' Motion to Dismiss, Dkt. #5, otherwise due November 27, 2017. *Id.* at  
20 2; *see also* LCR 7(d)(3).<sup>1</sup> Plaintiff admits that she filed this Motion "as soon as she became  
21 aware of the need for additional time, which was after an effective deadline created by this  
22 District Court's local Motion Noting Rules." *Id.* Plaintiff requests that the deadline to file the  
23 Response be extended to "at least mid-to-late January." *Id.* at 3. Plaintiff explains that her  
24 counsel filed this Motion late "due to a heavily overloaded schedule," and argues that  
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28 <sup>1</sup> Defendants' pending Motion to Dismiss was filed on November 9, 2017, and noted for consideration on  
December 1, 2017. Dkt. #5.

1 Defendants will not be prejudiced by the extension of this deadline. *Id.* Plaintiff argues that  
2 there is no “ill intent” in filing this Motion. *Id.* at 4.

3 “A motion for relief from a deadline should, whenever possible, be filed sufficiently in  
4 advance of the deadline to allow the court to rule on the motion prior to the deadline.” LCR  
5 7(j). Parties should not assume that the motion will be granted and must comply with the  
6 existing deadline unless the court orders otherwise.” *Id.*

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8 The Court finds that it can rule on the instant Motion without waiting for responsive  
9 briefing. Plaintiff fails to set forth good cause for failing to file this Motion sufficiently in  
10 advance of the deadline at issue. Plaintiff’s counsel has been aware of the Motion to Dismiss  
11 for two weeks, and nothing submitted indicates an inability to file the instant, simple Motion  
12 earlier. Plaintiff also fails to set forth good cause for granting the requested relief. Plaintiff  
13 explains the delay in filing the initial Motion, but does not explain why there is a need for  
14 additional time to respond to the Motion to Dismiss. The Motion to Dismiss in this case is not  
15 overly complex, and contains only five pages of argument. *See* Dkt. #5. It is not self-evident  
16 to the Court why more time is needed. Furthermore, Plaintiff’s request to extend the deadline  
17 by over a month is unreasonable and baseless. Although there is no indication of “ill intent” or  
18 prejudice to Defendants, the burden is on Plaintiff to show why this extension is warranted, and  
19 Plaintiff has failed to meet this burden. Accordingly, the Court will deny this Motion.

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22 Having reviewed the relevant briefing and the remainder of the record, the Court hereby  
23 finds and ORDERS that Plaintiff’s “Motion to Enlarge Time to Reply re: Defendant’s CR 12  
24 (b)(6) Motion to Dismiss,” Dkt. #13, is DENIED. The Response to Defendants’ pending  
25 Motion to Dismiss is due today, November 27, 2017.  
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DATED this 27 day of November, 2017.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

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