

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:14-cv-08909-SVW-PLA	Date	September 9, 2015
Title	Judy Anne Mikovits v. Adam Garcia et al		

Present: The Honorable	STEPHEN V. WILSON, U.S. DISTRICT JUDGE
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Paul M. Cruz

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

N/A

N/A

Proceedings: IN CHAMBERS ORDER RE: PLAINTIFF'S EX PARTE APPLICATION [118][119].

On September 4, 2015, Plaintiff filed a request to continue the deadline for her opposition to Defendant's motion for summary judgment from September 4, 2015 to September 8, 2015. In addition, Plaintiff requested the Court to continue the hearing from September 21, 2015 to November 16, 2015.

Defendant correctly identified this request as an ex parte application. After granting a series of continuances throughout this case, the Court warned the parties that no further continuances would be granted. (Dkt. 108). However, courts harbor a strong preference for decisions on the merits. *See, e.g., Eitel v. McCool*, 782 F.2d 1470, 1472 (9th Cir. 1986) (noting, in the context of a motion for default judgment, the Federal Rules of Civil Procedure's "strong policy . . . favoring decisions on the merits"). Therefore, the Court will take under consideration Plaintiff's brief submitted in opposition to the motion for summary judgment. In addition, the Court will consolidate the hearing currently set for September 21, 2015 with the hearings on calendar for November 16, 2015.

This decision does not diminish the severity of Plaintiff's violation. The parties are advised to comply with the Court's future deadlines or face appropriate consequences.

Accordingly, the briefing deadlines are rescheduled as follows:

1. The hearing for this matter shall be continued to November 16, 2015, at 1:30 p.m.
2. Defendant's reply shall be due November 2, 2015.

Initials of Preparer

PMC