



**TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:**

NOTICE IS HEREBY GIVEN THAT Defendant Ralph Heredia will and hereby does move the Court to grant an extension of seven (7) days to file a motion for a Fed. R. Civ. P. 60(b) relief from judgement or order, pursuant to Local Rule 7-18.

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), Defendant Ralph Heredia, respectfully moves this Court for a seven (7) day extension to file a motion for relief from a judgment or order. This extension will bring the filing deadline from March 24, 2021 to March 31, 2021.

Good cause exists for this extension because the parties attempted to meet and confer prior to March 17, 2021 to comply with L.R. 7-3 and L.R. 7-18. Defendant's counsel sent a detailed letter to Plaintiff's counsel discussing the intent to file a motion for relief from a judgment or order on March 16, 2021. Both parties made an attempt to conduct a telephone conversation on or before March 17, 2021. However, due to a scheduling conflict, the parties met and conferred concerning this motion on March 18, 2021. This short extension ensures Defendant is in compliance with Local Rule 7-3 and Local Rule 7-18. Counsel for Plaintiff has been consulted on March 19, 2021 and indicated that they will not oppose a motion to extend time by one week to file a Rule 60 motion.

The extension is required because this District has incorporated Local Rule 7-18 in motions pursuant to Fed. R. Civ. P. 60(b). *City of Indio v. Solomon*, 2012 WL 12888855, at \*6 (C.D. Cal. Aug. 1, 2012). Local Rule 7-18 states, "Absent good cause shown, any motion for reconsideration must be filed no later than 14 days after entry of the Order that is subject of the motion or application." The Court issued the pertinent Order on March 10, 2021. Meaning that the parties needed to complete their meet and confer not later than March 17, 2021. But for the scheduling conflict, that would have occurred.

1 Fed. R. Civ. P. 6(b)(2) states that a “court must not extend a time to act  
 2 under Rule[] ... 60(b).” The deadline to file a Rule 60(b) motion is “within a  
 3 reasonable time ... no more than a year after the entry of judgment or order.” *See*  
 4 *also Werner v. Evolve Media, LLC*, 2020 WL 7890835, at \*4 (C.D. Cal. Nov. 10,  
 5 2020). Therefore, this extension is pursuant to Local Rule 7-18 and not Fed. R.  
 6 Civ. P. 60(b).

7 For these reasons and for good cause shown, Defendant Heredia respectfully  
 8 requests an extension of 7 days be granted, through and to include, Wednesday,  
 9 March 31, 2021.

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 11 Dated: March 22, 2021

Respectfully submitted,

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 13 /s/ Rajan O. Dhungana

14 Rajan O. Dhungana (SBN: 297794)

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 21 *Attorneys for Defendant*

Ralph Heredia