

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	2:25-cv-05340-ODW (RAOx)	Date	June 20, 2025
Title	<i>Matthew R. Walsh v. Rokoko Electronics et al.</i>		

Present: The Honorable	Otis D. Wright, II, United States District Judge		
Sheila English	Not reported	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not present	Not present		

Proceedings: In Chambers

On June 16, 2025, Defendant Rokoko Electronics filed a Motion for Enlargement of Time to respond to the complaint, (Mot., ECF No. 9), and an Ex Parte Application to request an extension of the time to respond to the complaint, (Ex Parte Appl., ECF No. 15). The Court **STRIKES** the Motion for Enlargement of Time because Defendant fails to notice the Motion for a hearing, as required by Local Rule 7-4. (ECF No. 9.)

The Court next turns to the Ex Parte Application. In *Mission Power Engineering Company v. Continental Casualty Company*, the court provided the requirements a party must meet to obtain ex parte relief. 883 F. Supp. 488, 492 (C.D. Cal. 1995). Notably, the party seeking ex parte relief must establish why a motion cannot be calendared in a regular manner; that they will be irreparably prejudiced if the motion is heard in accord with regular procedures; and that the requesting party is without fault in creating the crisis that requires ex parte relief or that the crisis was due to excusable neglect. *Id.*

Defendant fails to address *Mission Power* in their Ex Parte Application. In any event, Defendant falls short of satisfying the *Mission Power* requirement. Defendant states that it removed the action on June 13, 2025, and responsive pleading is due on June 19, 2025. (Mem. ISO Ex Parte Appl. 5, ECF No. 15.) On June 12 and June 13, 2025, Defendant contacted Plaintiff to request a stipulation to extend the time to respond to the complaint. (Decl. Katherine Ellena ISO Ex Parte Appl. ¶ 5, ECF No. 15-1.) In response, Plaintiff expressed that he will “oppose pretty much everything.” (*Id.* ¶ 6.) Defendant contends that Plaintiff’s refusal to stipulate to an extension and the time constraint constitute good cause to

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permit an extension to extend the response deadline. (Mem. ISO Ex Parte Appl. 5–6.) However, Defendant received service of the complaint on May 14, 2025. (*Id.* at 4.) Defendant provides no explanation as to why it was unable to respond to the complaint between May 14, 2025 and June 16, 2025. Defendant thus fails to demonstrate that it is without fault in creating the crisis or that the crisis occurred as a result of excusable neglect. *See Mission Power*, 883 F. Supp. at 492.

Accordingly, Defendant’s Ex Parte Application is **DENIED**. (ECF No. 15.) Nevertheless, the Court sua sponte extends Defendant’s deadline to respond to the complaint to **June 26, 2025**. No further extensions will be granted.

IT IS SO ORDERED.

Initials of Preparer _____ : _____ 00
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