

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 09-1072 DOC (Ex)

Date: December 1, 2009

Title: CHARLES EDWARD LINCOLN III V. STEVEN V. SILVERSTEIN ET AL.

DOCKET ENTRY

[I hereby certify that this document was served by first class mail or Government messenger service, postage prepaid, to all counsel (or parties) at their respective most recent address of record in this action on this date.]

Date: _____ Deputy Clerk: _____

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Kristee Hopkins

Courtroom Clerk

Not Present

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

PROCEEDING (IN CHAMBERS): EX PARTE MOTION FOR ENLARGEMENT OF TIME

The Court is in receipt of Plaintiff Charles Edward Lincoln III's ("Lincoln") Second *Ex Parte* Application for Enlargement of Time, Continuance of Hearing and Notice of Change of Address ("*Ex Parte* Application"). Plaintiff requests that the hearing for Defendant Steven V. Silverstein's Motion to Dismiss ("Motion") be continued.

The hearing on this matter was originally noticed for November 16, 2009. Lincoln filed an *ex parte* for an extension of time, and the Court granted an extension of nearly a month until December 14, 2009. Lincoln has now requested another extension, specifically that the hearing be postponed until December 21, 2009, with his opposition date extended until December 7, 2009.

Because Plaintiff appears *pro se* and recently had a change of address through which mail sent to Plaintiff by the Court was returned—and notwithstanding Plaintiff's own failure to inform the Court of this change—the Court will grant this extension. However, Plaintiff is advised that further extensions to Plaintiff will not be granted in connection with this motion and will be highly disfavored in connection with any other motions. Furthermore, the Court will not grant any further *ex parte*

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motions in this matter which are submitted with no attempt to contact opposing counsel. *See Ex Parte* Application at 3 (noting previous failure of opposing counsel to call him back, Plaintiff failed to attempt to contact counsel in connection with this motion because “[i]t seems unlikely that he would respond to this request”).

It is ordered that Plaintiff’s opposition to the Motion shall be due on December 7, 2009 and the hearing on this matter shall be moved to December 21, 2009 at 8:30 a.m.

The Clerk shall serve this minute order on all parties to the action.