

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 16-5224-SVW (AGR)	Date	October 13, 2016
Title	Travis Middleton, et al. v. Richard Pan, et al.		

Present: The Honorable	Stephen V. Wilson, United States District Judge		
Deputy Clerk	Paul M. Cruz	Court Reporter / Recorder	None
Attorneys Present for Plaintiff	None	Attorneys Present for Defendant	None
	None		None

Proceedings: In Chambers: DENYING PLAINTIFFS' APPLICATION FOR DEFAULT

On October 6, 2016, Plaintiff Middleton filed an application for default against Defendants Win-Li Wang and Judy McCarthy. (Dkt. No. 94.)

Default is available only “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend.” Fed. R. Civ. P. 55(a).

The time for Defendants to respond to the First Amended Complaint was extended to October 26, 2016 by court order. (Dkt. Nos. 70, 96.) Therefore, the Defendants are not in default.

IT IS ORDERED that Plaintiffs’ application for default is DENIED.

Initials of Preparer pc