

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Felipe Pantone v. 100% Speedlab, LLC; Saule, LLC; and Does 1-10

Pantone · No. 25-cv-1490-BAS-SBC · Decided July 11, 2025

SUMMARY

The United States District Court for the Southern District of California partially granted an unopposed motion to extend the defendants’ deadline to respond to the complaint. Applying the excusable-neglect standard under Federal Rule of Civil Procedure 6(b)(1)(B), the court ordered defendants to respond by July 21, 2025, while warning that future extension requests must satisfy the applicable standards.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Cynthia Bashant
JURISDICTION	United States District Court for the Southern District of California
DECIDED	July 11, 2025
DOCKET	25-cv-1490-BAS-SBC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved, on behalf of Defendants, for an extension of Defendants' deadline to respond to the complaint after that deadline had expired.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 6(b)(1)(B), an extension requested after a deadline has expired requires a showing of excusable neglect, evaluated under the four Pioneer factors.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether Defendants established excusable neglect under Federal Rule of Civil Procedure 6(b)(1)(B) to obtain an extension after the response deadline had expired.
2. Whether the interests of justice warranted granting some extension despite Defendants' inadequate showing concerning the reason for their delay.

HOLDINGS

1. When a party moves for an extension after a deadline has passed, the applicable standard is excusable neglect under Federal Rule of Civil Procedure 6(b)(1)(B), not good cause.
2. Defendants did not make an adequate showing of excusable neglect because the asserted vacation of one principal did not explain why Defendants could not obtain counsel, respond timely, or request an extension before the deadline.

KEY QUOTATIONS

“Court deadlines are serious affairs.” (at 2)

FACTUAL BACKGROUND

Defendants were served with the complaint on June 12, 2025, but did not respond by the July 3, 2025 deadline. Plaintiff attributed the delay to Defendants' principal having recently returned from vacation in Hawaii and having only recently been able to seek legal counsel. Plaintiff represented that the extension would cause no prejudice, and the court found the resulting delay would be no more than eighteen days.

PROCEDURAL HISTORY

Plaintiff served Defendants on June 12, 2025, making their response due July 3, 2025. Seven days after the deadline passed, Plaintiff filed an unopposed motion seeking an extension based on the principal of the defendant companies having recently returned from vacation and then seeking counsel. The court granted the motion in part and ordered Defendants to respond by July 21, 2025.

DISPOSITION

other

CASES CITED

- Ahanchian v. Xenon Pictures, Inc., 624 F.3d 1253, 1261 (9th Cir. 2010)
- Pioneer Investment Services Co. v. Brunswick Associates Limited Partnership, 507 U.S. 380, 395 (1993)