

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA**

Harville v. 7-Eleven, Inc.

No. 3:25-cv-01265-TWR-MSB (S.D. Cal. Aug. 26, 2025) · No. 3:25-cv-01265-TWR-MSB · Decided August
26, 2025

OPINION

Harville v. 7-Eleven, Inc.

PER CURIAM.

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9 UNITED STATES DISTRICT COURT

10 SOUTHERN DISTRICT OF CALIFORNIA

11 12 SHARRON HARVILLE; Case No.: 3:25-cv-01265-TWR-MSB A.C., a minor, by and
through her guardian

13 ORDER GRANTING JOINT

ad litem DAMETRIOUS ARVILLE; and

MOTION TO CONTINUE

14 A.P., a minor, by and through his guardian

DEADLINES REGARDING

ad litem DAMETRIOUS HARVILLE,

15 PETITION FOR APPROVAL OF

Plaintiffs, MINORS' COMPROMISE 16 v. 17 [ECF No. 13] 7-ELEVEN, INC., et al., 18
Defendants. 19 20 21 Before the Court is the parties' joint motion to continue the deadlines related
to their 22 forthcoming petition for minors' compromise. ECF No. 13. The parties seek an order
from 23 the Court extending the deadlines by approximately 30 days. Id. 24 Parties seeking to
continue deadlines must demonstrate good cause. FED. R. CIV. P. 25 6(b) ("When an act may or
must be done within a specified time, the court may, for good 26 cause, extend the time");
Chmb.R. at 2 (stating that any request for continuance requires 27 "[a] showing of good cause for
the request"). "Good cause" is a non-rigorous standard that 28 has been construed broadly across
procedural and statutory contexts. Ahanchian v. Xenon 1 Pictures, Inc., 624 F.3d 1253, 1259 (9th
Cir. 2010). The good cause standard focuses on 2 the diligence of the party seeking to amend the
scheduling order and the reasons for seeking 3 modification. Johnson v. Mammoth Recreations,
Inc., 975 F.2d 604, 609 (9th Cir. 1992) 4 ("[T]he focus of the inquiry is upon the moving party's
reasons for seeking modification. 5 ... If that party was not diligent, the inquiry should end.")
(internal citation omitted). 6 Therefore, "a party demonstrates good cause by acting diligently to
meet the original 7 deadlines set forth by the court." Merck v. Swift Transp. Co., No. CV-16-
01103-PHX-ROS, 8 2018 WL 4492362, at *2 (D. Ariz. Sept. 19, 2018). 9 Here, the parties

represent to the Court that they “are diligently working to prepare 10 the necessary documents to support the petition, but require additional time to finalize 11 certain details related to the settlement agreement and the structure of the payout for the 12 minor Plaintiffs.” ECF No. 13 at 1–2. Thus, the parties request an extension “to allow the 13 parties to finalize these details and submit complete and accurate minor’s compromise 14 petitions for the Court’s consideration.” Id. at 2. 15 The Court appreciates that the parties have been working together diligently. Upon 16 due consideration, the Court finds good cause to GRANT the joint motion. As such, the 17 Court orders as follows:

18 I. PETITION FOR APPROVAL OF MINORS’ COMPROMISE

19 A Petition for Approval of Minors’ Compromise (“Petition”) shall be filed on or 20 before September 29, 2025. The Petition should address: 21 1. The compromised claims. 22 2. The terms of the settlement, with a copy of the settlement agreement 23 (with the minors’ names redacted) attached as an exhibit to the Petition. 24 3. The identity of the petitioner, including the petitioner’s relationship to 25 the minor plaintiffs and the petitioner’s financial stake in the matter, if 26 any. 27 4. The parties’ position(s) as to whether the settlement is fair, reasonable, 28 and in each of the minor plaintiffs’ best interests. 1 5. Any other information the parties believe would assist this Court’s 2 review of the proposed compromise. 3 The Court strongly prefers the Petition be filed as a joint motion by the parties. If 4 ||this is not possible, the Petition should include a statement from the nonmoving party 5 ||indicating whether the Petition is opposed and if so, on what basis.

6 II. MOTION FOR APPOINTMENT OF GUARDIAN AD LITEM

7 There is no indication on the Court’s docket that a guardian ad litem has been 8 || appointed for A.C. and A.P. in this case. A Motion for Appointment of Guardian Ad Litem, 9 ||or a copy of the state court order appointing a guardian ad litem, if any, must be filed in 10 conjunction with the Petition.

11 iI. CONSENT TO MAGISTRATE JUDGE JURISDICTION

12 The parties may consent to the jurisdiction of the undersigned magistrate judge for 13 limited purpose of entering an order approving the entire minors’ settlement or 14 ||compromise. See CivLR 17.1(a). If the parties wish to consent to the undersigned 15 || magistrate judge for approval of the minors’ compromise, they must email the consent form 16 || attached to the Court’s initial briefing schedule, (ECF No. 12 at 4—5), to the district judge’s 17 ||chambers at efile_robinson@casd.uscourts.gov no later than September 22, 2025. The 18 || consent form must be executed by the minors A.C. and A.P. by and through their guardian 19 ||ad litem, counsel for the minors, a client representative for the settling defendant, and 20 counsel for defendant. If the parties decline to consent to magistrate judge jurisdiction, the 21 || undersigned will issue a Report and Recommendation regarding the Petition to the district 22 ||judge, pursuant to 28 U.S.C. § 636(c) and Civil Local Rule 72.1. 23 IT IS SO ORDERED. 24 Dated: August 26, 2025 _ArwiorwH. Xyolard Honorable Allison H. Goddard 26 United States Magistrate Judge 27 28

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