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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 CH2E NEVADA LLC,

11 Plaintiff(s),

12 v.

13 LATIF MAHJOOB, et al.,

14 Defendant(s).
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Case No. 2:15-cv-00694-JCM-NJK

ORDER

(Docket No. 115)

16 Pending before the Court is a motion to continue the hearing on Defendant American
17 Combustion Technologies of California, Inc.'s ("ACTI") motion to withdraw as counsel, filed by
18 Attorney Hector Carbajal. Docket No. 115; *see also* Docket No. 106. Mr. Carbajal submits that he
19 inadvertently failed to meet the proof of service deadline of July 9, 2018, set by the Court's order at
20 Docket No. 107. Docket No. 115. Mr. Carbajal further submits that his inadvertence was the result of
21 excusable neglect. *Id.*

22 On July 5, 2018, Mr. Carbajal filed his motion to withdraw as counsel for Defendant ACTI.
23 Docket No. 106. On July 6, 2018, the Court issued its order setting a hearing on the motion for July 19,
24 2018, at 3:00 p.m., and ordered Mr. Carbajal to serve Defendant ACTI with the order and file a proof
25 of service no later than July 9, 2018. Docket No. 107. Mr. Carbajal failed to serve Defendant ACTI by
26 the deadline, and makes a vague, conclusory statement that his failure was the result of excusable
27 neglect. Docket No. 115.
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1 Although the Court does not find excusable neglect or good cause, as a one time courtesy, it
2 **GRANTS** in part and **DENIES** in part Mr. Carbajal's motion. Docket No. 115. Mr. Carbajal shall have
3 until 3:00 p.m. on July 18, 2018 to serve Defendant ACTI with this order and the Court's order at
4 Docket No. 107, and shall file a proof of service no later than 4:00 p.m. on July 18, 2018. Mr Carbajal
5 is further **ORDERED** to notify Defendant ACTI via telephone of the hearing no later than 3:00 p.m. on
6 July 18, 2018, and include a statement confirming his conversation with Defendant ACTI in the proof
7 of service.

8 IT IS SO ORDERED.

9 DATED: July 18, 2018

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12 NANCY J. KOPPE
13 United States Magistrate Judge
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