

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

INTERNATIONAL FRANCHISE
ASSOCIATION, *et al.*,

Case No. 20-cv-02243-BAS-DEB

Plaintiffs,
v.
STATE OF CALIFORNIA, *et al.*,
Defendants.

**ORDER GRANTING PLAINTIFFS'
EX PARTE APPLICATION FOR
LEAVE TO FILE NOTICE OF
SUPPLEMENTAL AUTHORITY
(ECF No. 27)**

On October 13, 2021, Plaintiffs moved *ex parte* to file a notice of the following supplemental authorities: *Patel v. 7-Eleven, Inc.*, No. 20-1999, 2021 WL 3486175 (1st Cir. Aug. 9, 2021) and *Ranchers Cattlemen Action Legal Fund United Stockgrowers of Am. v. Vilsack*, 6 F.4th 983 (9th Cir. July 27, 2021). (ECF No. 27.)

Under Civil Local Rule 83.3(g)(2), a party moving *ex parte* is required to file an affidavit or declaration showing that the party met and conferred with opposing counsel about the intent to file an *ex parte* motion, made a good faith effort to do so, or should be excused from the meet-and-confer obligation. Once an *ex parte* motion is filed, the opposing party has two court days to notify the Court with the intent to oppose the motion. Judge Bashant's Standing Order for Civil Cases ¶ 6. “*Ex parte* applications that are not

1 opposed within two Court days must be considered unopposed and may be granted on that
2 ground.” *Id.*

3 Here, counsel for Plaintiffs filed a declaration stating that on October 4, 2021, and
4 on October 12, 2021, she met and conferred with counsel for Defendants about the intent
5 to file the present *ex parte* application. (ECF No. 27 at 3.) Plaintiffs filed the present
6 application on October 13, 2021. More than two court days have passed, and Defendants
7 have not notified the Court of their intent to oppose the motion.

8 As such, the Court **GRANTS** Plaintiffs’ *ex parte* application to file notice of
9 supplemental authorities as unopposed. (ECF No. 27.)

10 **IT IS SO ORDERED.**

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12 **DATED: October 18, 2021**


13 **Hon. Cynthia Bashant**
14 **United States District Judge**

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