

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

HUGH JARRATT and JARRATT  
INDUSTRIES, LLC

PLAINTIFFS

v.

No. 5:16-CV-05302

AMAZON.COM, INC. and CT  
DISCOUNT STORE, INC.

DEFENDANTS

**ORDER**

Before the Court is Defendant Amazon.com, Inc.'s ("Amazon") third unopposed motion (Doc. 25) for an extension of time to file a responsive pleading. Amazon's responsive pleading was initially due to be filed by February 10, 2017. At Amazon's request, the Court extended the deadline to March 13. Amazon subsequently requested another extension, and the Court again granted the extension to April 12, 2017. Rather than timely filing a responsive pleading, Amazon filed the instant motion requesting an extension to May 30. Though the filing was made on April 12, it was not made until after the close of the business day in this time zone, and does not demonstrate diligence. Amazon's motion does not set forth good cause for an extension. Amazon has had two extra months to file a responsive pleading. The motion for preliminary injunction against Amazon is withdrawn, reducing the scope of any necessary response. Separate Defendant CT Discount Store, Inc. has now filed an answer. The Federal Rules of Civil Procedure are to be used as a tool to expedite, rather than to delay, the resolution of disputes before the Court. Fed. R. Civ. P. 1.

IT IS THEREFORE ORDERED that Defendant Amazon.com, Inc.'s motion (Doc. 25) is DENIED. The Clerk is directed to enter default against Defendant Amazon.com, Inc. pursuant to Federal Rule of Civil Procedure 55(a). Any motion to set aside that default under Rule 55(c) must

be filed by April 21, 2017.

IT IS SO ORDERED this 13th day of April, 2017.

*P. K. Holmes, III*

P.K. HOLMES, III  
CHIEF U.S. DISTRICT JUDGE