


FILED
11/17/14 TIME: 2:30
By: 
CLERK, FSM SUPREME COURT
POHNPEI TRIAL DIVISION

**IN THE SUPREME COURT OF THE
FEDERATED STATES OF MICRONESIA
TRIAL DIVISION --- POHNPEI STATE**

BANK OF HAWAII,

Plaintiff,

v.

MARLENE HELGENBERGER, and
YALMER HELGENBERGER,

Defendants.

CIVIL ACTION NO.: 2004-023

ORDER GRANTING MOTION FOR
ENLARGEMENT OF TIME

On October 31, 2014, the defendants, Marlene Helgenberger and Yalmer Helgenberger (Helgenbergers), filed a Motion for Enlargement of Time to reply to plaintiff's, Bank of Hawaii (BOH), motion for attorney sanctions. The motion requested until November 5, 2014 for the Helgenbergers to file their response.


On November 12, 2014, a second Motion for Enlargement of Time was filed by the Helgenbergers, seeking to file their response to BOH's motion on November 12, 2014.¹ An Opposition to Supplement Pending Motions to Compel Discovery and for Sanctions was also filed with the November 12, 2014 Motion for Enlargement. Both motions to enlarge acknowledge that BOH did not oppose the requests for extensions, as required under FSM Civ. R. 6 (d).

THEREFORE, pursuant to FSM Civ. R. 6 (b) and based on the agreement of the parties, both of the defendants Motions for Enlargement of Time are HEREBY GRANTED. The Clerk of Court is instructed to enter the defendants Opposition to Supplement Pending Motions to Compel Discovery to be dated November 12, 2014.

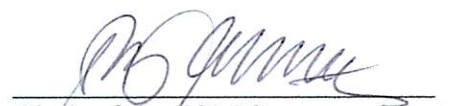
¹ Because nothing was filed on November 5, 2014, the applicable standard of "excusable neglect" under FSM Civ. R. 6 (b)(2) is applicable to the November 12, 2014 motion, as correctly stated and argued by the Helgenbergers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SO ORDERED the 14th day of November, 2014


Beaulen Carl-Worswick
Associate Justice

ENTERED this 17th day of November, 2014.


Clerk of the FSM Supreme Court