GETTING MORE TIME TO RESPOND TO A LAWSUIT OR DISCOVERY REQUEST

NOTE: This instructional packet is not legal advice. You should not use this packet "as-is." Instead, you should modify this packet after you carefully consider the facts of your case. If you need specific legal advice, you should consult an attorney.

REQUESTING MORE TIME TO RESPOND TO A LAWSUIT

If you are close to the deadline to file a response to a complaint in a lawsuit and need more time to answer, contact the plaintiff's attorney to request 15-day extension.

The best way to do this is by emailing the attorney that filed the lawsuit. You can find this information on the signature line of the complaint and the law firm that the attorney belongs to on the first page of the complaint (top left). Make sure to keep a copy of the email you send, and the email they send to you agreeing to the extension.

If the attorney's email address is not listed on the complaint, you can find it by going to the California State Bar website here:
https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch

If their email address is not on the California State Bar website, you should call the number on the first page of the complaint (top left) and ask for a 15-day extension. If they agree, ask for an email address. Send an email confirming the extension so that you have confirmation in writing.

If you are unable to get an extension, prepare and file a response anyway. The court may accept a late-filed response. If you do not respond, a default judgment will be entered against you.

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REQUESTING MORE TIME TO RESPOND TO DISCOVERY REQUESTS

If you are close to the deadline for responding to discovery requests, such as requests for admissions, special interrogatories or request for production of documents, contact the plaintiff's attorney to request 30-day extension.

The best way to do this is by emailing the attorney that sent the discovery requests. You can find this information on the signature line of the requests and the law firm that the attorney belongs to on the first page of the requests (top left). Make sure to keep a copy of the email you send, and the email they send to you agreeing to the extension.

If the attorney's email address is not listed on the discovery requests, you can find it by going to the California State Bar website here:
https://apps.calbar.ca.gov/attorney/LicenseeSearch/QuickSearch

If their email address is not on the California State Bar website, you should call the number on the first page of the discovery requests (top left) and ask for a 30-day extension. If they agree, ask for an email address. Send an email confirming the extension so that you have confirmation in writing.

If you are unable to get an extension, prepare and serve responses anyway. If you fail to respond, the other side may file a motion against you that may ask for the court to order you to pay money for not responding. The other side can also ask the court to order that you have admitted things that will help them win their case.

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