

TO: CLERK OF COURT

STATE OF MAINE

DISTRICT COURT

_____, ss.

Location: _____

Plaintiff: _____

v.

Defendant: _____

REQUEST TO FILE LATE ANSWER

I hereby request additional time to file my answer and that the Court accept the attached Answer for filing in this case. I didn't file the answer within 20 days because: (Illness/ family emergency) (Inability to find a lawyer) (I didn't understand I had to file within 20 days)

_____. I believe these reasons constitute good cause for allowing me to file a late answer in this case. In addition I believe I have a meritorious defense as set forth in the attached answer. Also, Plaintiff will not be substantially prejudiced by the reopening of this case as no default or default judgment has been entered. In addition, the court should be guided by the principle that there is a strong preference for deciding cases on the merits. *See Thomas v. Thompson*, 653 A.2d 417, 419 (Me. 1995); *Millet v. Dumais*, 365 A.2d 1038, 1040 (Me. 1976), quoting Field McKusick & Wroth, Maine Civil Practice § 55.4 at 21-22 ("substantial rights should not be determined by default if that procedure can reasonably be avoided and no substantial prejudice has resulted").

For the above reasons the court should set aside any default entered in this case and allow me to file the attached Answer.

Sincerely,

Signature

Date

Print Name

Address

Phone Number

IMPORTANT NOTICE

Matters in opposition to this motion pursuant to Rule 7(c) of the Maine Civil Rules of Procedure must be filed not later than 21 days after the filing of the motion unless another time is provided for by the Rules or set by the Court. Failure to file timely opposition will be deemed a waiver of all objections to the motion which may be granted without further notice or hearing.

I sent a copy of this letter and attached Answer and Discovery Request to the Plaintiff's Attorney at the following address:

