

P&S ASSOCIATES, GENERAL PARTNERSHIP, **IN THE CIRCUIT COURT OF THE**
et al., **17TH JUDICIAL CIRCUIT IN AND**
Plaintiffs, **FOR BROWARD COUNTY, FLORIDA**
vs. **Complex Litigation Unit**
Case No: 12-034123(07)

STEVEN F. JACOB,
et al.,
Defendants.

PLAINTIFFS' MOTION FOR AN EXTENSION OF TIME TO RESPOND TO
DEFENDANTS' JOINT MOTION FOR SUMMARY JUDGMENT

Plaintiffs, by and through their undersigned counsel, hereby move for an extension of time to file a memorandum in opposition to Defendants Frank Avellino and Michael Bienes' ("Defendants") Joint Motion for Summary Judgment ("Defendants' MSJ"), and in support thereof state:

1. The hearing on the Defendants' MSJ is set for August 23, 2016 (the "MSJ Hearing").
2. Under the Florida Rules of Civil Procedure, the Plaintiffs' deadline to respond to the MSJ is 5 pm two business days before the MSJ Hearing, August 19, 2016 (the "FRCP MSJ Deadline").
3. As an accommodation to the Defendants, Plaintiffs agreed to file a response on July 25, 2016 (the "Agreed Response Deadline").
4. Due to unforeseen issues, namely certain affiants are out-of-state and are unavailable, Plaintiffs require additional time to respond to Defendants' MSJ beyond the Agreed Response Deadline.
5. Plaintiffs request an extension of time to file a response to Defendants' MSJ to August 1, 2016.¹ Even with this extension, Defendants will have more time to file a reply than they ordinarily would under the Florida Rules of Civil Procedure.

¹ Plaintiffs reserve the right to submit summary judgment evidence consistent with the Florida Rules of Civil Procedure.

6. Plaintiffs contacted counsel for Defendants to obtain consent for an extension of time.

Defendants do not consent to an extension.

7. No party would be prejudiced by the relief sought through this Motion.

WHEREFORE Plaintiffs request this Court enter an order (i) extending Plaintiffs' deadline to respond to the Defendants' MSJ through and including, August 1, 2016; and (ii) granting such other and further relief as this Court deems just and proper.

Dated: July 25, 2016

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on July 25, 2016, a copy of the foregoing was filed with the Clerk of the Court via the E-filing Portal, and served via Electronic Mail by the E-filing Portal upon:

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