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*Attorneys for Defendant*  
 7 *CIT Small Business Lending Corporation*  
*erroneously named herein as CIT Group, Inc.*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 DOLORES DE LEON, an individual d/b/a  
 12 MANILLA INTERNATIONAL, LLC, a Nevada  
 limited liability company,

13 Plaintiff,

14 vs.

15 CIT GROUP, INC., a foreign Corporation; DOES  
 1 through 5; ROES 6 through 10,

16 Defendants.

Case No.: 2:11-cv-01028-PMP-RJJ

**EMERGENCY EX-PARTE**  
**MOTION FOR LEAVE TO FILE**  
**MOTION FOR SUMMARY**  
**JUDGMENT WHICH EXCEEDS**  
**PAGE LIMIT SET FORTH BY**  
**LR 7-4**

**MEIER & FINE**

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17  
 18 COMES NOW Defendant, CIT Small Business Lending Corporation (erroneously named  
 19 CIT Group, Inc.) (hereinafter "CIT") by and through its undersigned attorneys of record, MEIER  
 20 & FINE, LLC, and moves the Court for leave to file its Motion for Summary Judgment which  
 21 exceed the 30 page limit set forth in LR 7-4.

22 The Court may grant leave to file a motion which exceeds the pages limit set forth in LR  
 23 7-4 when good cause appears. See Sechrest v. Baker, 816 F. Supp. 2d 1017, 1025, 2011 U.S.  
 24 Dist. LEXIS 104139 (D. Nev. 2011) ("the court finds that there is good cause for respondents to  
 25 file their 28-page response to the reply, and the court will, therefore, grant the motion for leave to  
 26 file that document").

27 In this case, good cause exists for the Court to grant leave for CIT to file a motion which  
 28 exceed the limit set forth in LR 7-4. The arguments raised in the Motion for Summary Judgment

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1 (the "Motion") filed by CIT require numerous references to a deposition transcripts, pleadings,  
2 loan application related documents, and other records which chronicle events which are alleged to  
3 have occurred between the years 2003 (signing a lease) and 2012 (paying for storage).

4 Plaintiff's breach of contract claim references no less than seven separate documents  
5 which each require analysis in order for CIT to fully defend itself. Likewise, Plaintiff's  
6 misrepresentation claims, while less voluminous in nature than the contract claims, still require  
7 sufficient discussion to warrant summary judgment. Finally, Plaintiff's alleged sources of  
8 damages are many and diverse, each requiring sufficient discussion and analysis to warrant  
9 summary judgment.

10 In order to comprehensively address these issues, CIT's Motion is approximately  
11 45 pages in length. Based on the foregoing, CIT respectfully requests leave of Court  
12 to exceed the thirty-page limitation set forth LR 7-4.

13 Due to the upcoming deadline for dispositive motions, this Motion does not have time to  
14 be heard in the normal course. See Affidavit of Rachel E. Donn, annexed hereto as Exhibit "A."

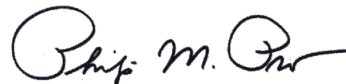
15 Dated this 20<sup>th</sup> day of September, 2012.

16 MEIER & FINE, LLC

17 /s/ Rachel E. Donn, Esq.

18  
19 MARILYN FINE, ESQ., #005949  
20 RACHEL E. DONN, ESQ., #010568  
21 PETER E. DUNKLEY, ESQ., #11110  
22 2300 W. Sahara Ave., Suite 1150  
23 Las Vegas, NV 89102  
24 Attorneys for Defendant  
25 CIT Small Business Lending Corp.

26 IT IS SO ORDERED this 17th day of December, 2012.

27 

28 UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the **EMERGENCY EX-PARTE MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT WHICH EXCEEDS PAGE LIMIT SET FORTH BY LR 7-4** was deposited in the United States mail and sent by email in Las Vegas, Nevada, this 20th day of September, 2012, addressed to the following:

Robert W. Lueck, Esq.  
528 So. Casino Center Drive, Suite 311  
Las Vegas, Nevada 89101  
luecklaw@yahoo.com  
Attorney for Plaintiff

/s/Melanie Grossman  
An Employee of Meier & Fine, LLC

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# **EXHIBIT “A”**

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7. Further affiant sayeth naught.

Executed this 20<sup>th</sup> day of September, 2012.



RACHEL E. DONN, ESQ.

Subscribed and sworn to before me  
this 20 day of September, 2012.



NOTARY PUBLIC in and for said  
County and State

CAROL M. SIMPSON  
Notary Public - State of Nevada  
No. 09-11544-1  
My appt. exp. Nov. 5, 2013

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