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8 UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF ARIZONA

10 RICHARD M. HORTON,

11 Plaintiff,

NO. CV-05-0432-PHX-SMM

12 vs.

13 PHOENIX FUELS CO., INC.; GIANT  
14 INDUSTRIES, INC. as Administrator;  
15 GIANT INDUSTRIES, INC. GROUP  
16 LONG TERM DISABILITY POLICY; THE  
17 PRUDENTIAL INSURANCE COMPANY  
18 OF AMERICA,

Defendants.

**PLAINTIFF'S MOTION TO CONTINUE  
THE TIME TO FILE A RESPONSE TO  
DEFENDANT'S OBJECTIONS TO  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT AND REPLY TO  
DEFENDANT'S RESPONSE IN  
OPPOSITION TO PLAINTIFF'S  
CROSS-MOTION FOR SUMMARY  
JUDGMENT**

18 Plaintiff moves to continue his time to file a Response to Defendant's Objections  
19 to Plaintiff's Motion for Summary Judgment and Reply to Defendant's Response in  
20 Opposition to Plaintiff's Cross-Motion for Summary Judgment. Plaintiff filed his Motion  
21 for Summary Judgment on September 5, 2007. On October 9, 2007 Defendant's filed  
22 Evidentiary Objections to Plaintiff's Motion for Summary Judgment and Response in  
23 Opposition to Plaintiff's Cross-Motion for Summary Judgment. Plaintiff is requesting a  
24 two week extension to file a response to Defendant's Evidentiary Objections and  
25 Response to Plaintiff's Cross-Motion for Summary Judgment. This motion is not for the  
26 purpose of delay. Plaintiff's counsel has been out of State for the past nine days.  
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28

1 Therefore, it is respectfully requested that Plaintiff's time to file a Response to  
2 Defendant's Evidentiary Objections be extended to November 6, 2007.

3  
4 DATED this 23rd day of October, 2007.

5  
6  
7 s/Eric G. Slepian  
8 Eric G. Slepian, Esq.  
9 Attorney for Plaintiff

10  
11  
12 CERTIFICATE OF SERVICE

13  
14 I hereby certify that on October 23, 2007, I electronically transmitted the attached  
15 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a  
16 Notice of Electronic Filing to the following CM/ECF Registrants:

17 Tom Crowe, Esq.  
18 CROWE & SCOTT, P.A.  
19 1100 E. Washington, Ste. 200  
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20 A. Louis Dorny, Esq.  
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24 By: s/Genesis Conover