UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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| **JOSE ERNESTO MARTINEZ,** | : | |
| | : | **CIVIL ACTION NO.** |
| | : | **3:07-CV-01212 (VLB)** |
| **Plaintiff,** | : | |
| | : | |
| **v.** | : | |
| | : | |
| **THE FERGUSON LIBRARY,** | : | |
| **and** | : | |
| **ERNEST DIMATTIA,** | : | |
| | : | |
| **Defendants.** | : | **December 6, 2007** |

**DEFENDANTS' MOTION FOR EXTENSION OF TIME**

Defendants, The Ferguson Library and Ernest DiMattia (collectively "Defendants"), by and through their undersigned counsel, hereby move this Court for an order extending the deadline in which to respond and/or object to Plaintiff's First Request for Admissions, which was served on November 15, 2007, until three weeks after this Court has ruled on Defendants' Motion to Dismiss. In the alternative, Defendants request a thirty day extension up to and including January 14, 2007 in which to respond and/or object to same.

The reasons for this request are as follows:

1. On November 15, 2007, Plaintiff served Defendants with Plaintiff's First Request for Admissions ("Plaintiff's Admissions"). The current deadline for Defendants' objections and/or responses is December 17, 2007.

2. On November 29, 2007, Defendants filed Defendants' Motion to Dismiss the Complaint for lack of subject matter jurisdiction.

3. A ruling in Defendants favor, with respect to its Motion to Dismiss, would dispose of this matter in its entirety and moot the need to proceed with the discovery requested, specifically, Plaintiff's Admissions. Therefore, Defendants request that they be permitted to serve their objections and/or responses to Plaintiff's Admissions three weeks after this Court has ruled on Defendants' Motion to Dismiss, in the event Defendant's Motion to Dismiss is denied.

4. In the alternative, Defendants request a thirty day extension of time up to and including January 14, 2007 to object and/or respond to Plaintiff's Admissions which is thirty days from the current deadline of December 17, 2007.

5. This is Defendant's first request for an extension of this deadline. Plaintiff's counsel was contacted and consented to a thirty day extension up to and including January 14, 2007.

WHEREFORE, to avoid the unnecessary expenditure of resources, the undersigned respectfully requests that the Court enter an order permitting Defendants to file their responses and/or objections to Plaintiff's Admissions three weeks after its ruling on Defendant's Motion to Dismiss, or in the alternative, until January 14, 2007, thirty days from the current deadline of December 17, 2007.

Done at Bridgeport, Connecticut this 6th day of December, 2007.

/s/_____

Loraine Cortese-Costa (ct03984)
Michel Bayonne (ct24628)
DURANT, NICHOLS, HOUSTON
HODGSON & CORTESE-COSTA, P.C.
1057 Broad Street
Bridgeport, CT 06604
Telephone (203) 366-3438
Facsimile (203) 384-0317
lcortese-costa@durantnic.com
mbayonne@durantnic.com

ATTORNEYS FOR DEFENDANTS

**ORDER**

The foregoing motion, having come before this Court, it is hereby ORDERED:

**GRANTED/DENIED**

_____

By the Court

**CERTIFICATION**

This shall certify that a copy of the foregoing was caused to be served via electronic mail upon the following counsel of record and pro se parties of record this 6th day of December, 2007:

Ioannis A. Kaloidis, Esq.
Ku & Mussman, - CT
141 East Main Street
P.O. Box 2242
Waterbury, CT 06722
jkaloidis@moynahanlawfirm.com

Lou Mussman, Esq.
Ku & Mussman, P.A.
11098 Biscayne Blvd., Suite 301
Miami, FL 33161
***Via Certified Mail***

/s/_____
Michel Bayonne

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