

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

ARTHREX, INC.

Plaintiffs and Counterclaim Defendants,

v.

Case No. 2:11-CIV-694-FtM-29SPC

PARCUS MEDICAL, LLC,

Defendant and Counterclaim Plaintiff.

ORDER

This matter comes before the Court on Defendant's Assented-to Motion for Extension of Time to File Reply Briefs in Support of Motions for Summary Judgment (Docs. 69-70) (Doc. #104). Defendant requests that the Court grant it additional time, up to and including October 9, 2012, to file its reply brief. Defendant contacted Plaintiff concerning this Motion, and Plaintiff does not object to the relief requested. However, the Plaintiff does request the same extension.

Pursuant to Fed. R. Civ. P. 6(b), the Court may, for good cause shown, extend a specified time if the request is made before the original time or its extension expires. Here, Defendant's counsel encountered an unforeseen medical issue which has necessitated his request for an extension of time. Because this motion was timely filed and is based on good cause, and in light of the mutual assent of the parties, an extension will be granted.

Accordingly, it is now

ORDERED:

The Defendant's Assented-to Motion for Extension of Time to File Reply Briefs in Support of Motions for Summary Judgment (Doc. #104) is **GRANTED**.

(1) Defendant's reply brief must be filed with the Court on or before **October 9, 2012**.

(2) Plaintiff is also granted an extension of time, and must file its sur-reply brief on or before **October 19, 2012**.

DONE and **ORDERED** in Fort Myers, Florida this 5th day of October, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record