

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

ARTHREX, INC.,

Plaintiff,

V.

Case No: 2:11-CV-694-FtM-29SPC

PARCUS MEDICAL, LLC,

Defendant.

ORDER

This matter comes before the Court on Plaintiff, Arthrex Inc.'s ("Arthrex"), Unopposed Motion for Extension of Time to File Response to Parcus' Motion to Dismiss Arthrex's Claims for Indirect Infringement (Doc. #50) filed on July 13, 2012. Pursuant to Fed. R. Civ. P. 6(b) the Court may enlarge the time to file a responsive pleading for cause shown. The Rule reads in pertinent part:

[w]hen by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect.

Fed. R. Civ. P. 6(b).

Arthrex, pursuant to Local Rule 3.01(g), conferred with Parcus about an extension of time. The Parties agreed that Arthrex shall have an additional ten (10) days, up to and including August 3, 2012, to respond to Parcus' Motion to Dismiss. Arthrex filed its Unopposed Motion,

which reflects this understanding, prior to the expiration of its response deadline. Neither Arthrex nor Parcus would suffer any prejudice from this short time extension. As it is within the Court's discretion to allow an extension of time, this Court finds good cause to grant Arthrex's request.

Accordingly, it is now

ORDERED:

Plaintiff, Arthrex Inc.'s ("Arthrex"), Unopposed Motion for Extension of Time to File Response to Parcus' Motion to Dismiss Arthrex's Claims for Indirect Infringement (Doc. #50) is **GRANTED**. Arthrex shall have up to and including **August 3, 2012**, to respond to Parcus' Motion to Dismiss Arthrex's Claim for Indirect Infringement.

DONE and ORDERED in Fort Myers, Florida this 18th day of July, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record