

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

HEATHER MARIE KOTIS and RACHEL  
CHRISTINE MILL

Plaintiffs,

v.

CASE NO.: 8:07-00447-JSM-EAJ

DESLIN HOTELS, INC., IRENE L. DEVLIN,  
DENNIS B. DEVLIN, GOLDRUSH DISC JOCKEYS, INC.,  
DAVID L. BARTON, BV & BK PRODUCTIONS, LLLP,  
CHAD W. CIANI, MRA HOLDINGS, LLC, AMX  
PRODUCTIONS, LLC, d/b/a AMX Video, a/k/a GM Video,  
a/k/a George Martin Video a/k/a Action Matrix, a/k/a Aztec  
Media Co., MANTRA FILMS, INC., d/b/a Girls Gone Wild,  
JOSEPH R. FRANCIS, SVOTHI, INC., d/b/a PPVNetworks  
and nakedontv.com; and JUCCO HOLDINGS, INC.,  
d/b/a drunkspringbreak.com,

Defendants.

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**UNOPPOSED PLAINTIFFS' MOTION TO RESCHEDULE HEARING ON  
DEFENDANTS' CHAD CIANI AND BV & BK PRODUCTION, LLP'S MOTION  
TO DISMISS AND DEFENDANTS' DESLIN HOTELS, INC., IRENE L. DEVLIN  
AND DENNIS B. DEVLIN'S MOTION TO DISMISS, OR ALTERNATIVELY,  
MOTION TO STRIKE**

Plaintiff, by and through her undersigned counsel, respectfully move this Court to reschedule the hearing on Defendants Chad Ciani and BV & BK Productions, LLP's Motion To Dismiss and Defendant Deslin Hotels, Inc., Irene L. Devlin and Dennis B. Devlin's Motion To Dismiss, or Alternatively, Motion To Strike for the reasons set forth below:

1. Plaintiffs filed the Complaint on March 21, 2007.

2. Defendants Deslin Hotels, Inc., Irene L. Devlin and Dennis B. Devlin filed their Motion to Dismiss on June 7, 2007.

3. Plaintiffs filed the Complaint on March 21, 2007. Defendants Chad W. Ciani and BV & BK Productions, LLP filed their Motion to Dismiss or Strike on June 11, 2007.

4. Plaintiff's prior counsel failed to file a response to the Motions.

5. On July 17, 2007, the undersigned's law firm, Mechanik Nuccio Hearne & Wester, P.A. ("Mechanik Nuccio"), filed a Notice of Appearance on behalf of Plaintiff.

6. On July 27, 2007, a hearing was scheduled on the Motions to Dismiss for August 23, 2007 at 1:30 p.m.

7. In May, 2007, the Federal Bureau of Investigation, ("FBI") Washington, D.C. office ("Headquarters") requested J. Meredith Wester attend a three (3) day conference sponsored by the FBI in San Antonio, Texas for which the FBI has covered all her expenses.

8. The conference is being held from August 21, 2007 through August 23, 2007.

9. Due to these prior obligations, Wendolyn S. Busch, Ms. Wester's partner, agreed to cover the hearing scheduled for August 23, 2007.

10. However, Ms. Busch was notified today that her case in front of the Honorable James M. Barton, II, *Schuler v. Just Build It, LLC*, Case No. 06-005067, pending in Hillsborough County Circuit Court, will definitely begin trial on Monday, August 20, 2007 in front of the Honorable Judge Richard A. Nielsen.

11. For these reasons, Plaintiff requests the hearing scheduled for August 23, 2007 be rescheduled.

12. No prejudice will result to Defendants, as this action is in its early stages.

**CERTIFICATE OF GOOD FAITH**

In accordance with Local Rule 3.01(g), I hereby certify that counsel for Defendants Deslin Hotels, Inc., Irene L. Devlin, Dennis B. Devlin, Chad W. Ciani and BV & BK Productions, LLLP have been consulted and they have no objection to the granting of this Motion.

Respectfully submitted,

/s/ J. Meredith Wester

**J. MEREDITH WESTER, ESQUIRE**

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 17, 2007 the foregoing Motion was electronically filed with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to the following:

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I further certify that on August 17, 2007, I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:

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/s/ J. Meredith Wester  
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