

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

EROS, LLC,	:	CIVIL ACTION NO.:
	:	8:07-CV-01158-SCB-TEW
Plaintiff,	:	
	:	
v.	:	JURY TRIAL DEMANDED
	:	
ROBERT LEATHERWOOD and	:	
JOHN DOES 1-10,	:	
	:	
Defendants.	:	
	:	

**EROS, LLC'S MOTION FOR AN EXTENSION OF
TIME TO APPLY FOR DEFAULT JUDGMENT**

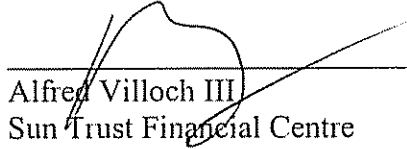
Plaintiff Eros, LLC ("Eros") hereby moves for an extension of time in which to apply for a default judgment against defendant Robert Leatherwood ("Leatherwood"), and states the following in support of the motion:

On February 28, 2008, the Court directed Eros to file a motion for entry of a default judgment against Leatherwood, or show cause in writing on or before March 7, 2008 why this case should not be dismissed for want of prosecution. The parties have been engaged in settlement discussions that Eros expects will result in the entry of a consent judgment reflecting a settlement of this matter. Declaration of Francis X. Taney, Jr. ¶ 3, attached as Exhibit A. As the parties require additional time to finalize the form of consent judgment, Eros respectfully requests that the Court grant Eros an extension of time until March 21, 2008 to file a motion for entry of a default judgment. *Id.* ¶ 4. Eros expects that the grant of this extension will allow the parties sufficient time to finalize a form of consent judgment for entry in this case, and ultimately obviate the need for proceedings in connection with an application for the entry of a default

judgment. *Id.* ¶ 5. Eros respectfully submits that this constitutes good cause for grant of the requested extension.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC



Alfred Villoch III
Sun Trust Financial Centre
401 E. Jackson Street, Suite 2500
Tampa, FL 33602-5236

Francis X. Taney, Jr., Esquire
1835 Market, 14th Floor
Philadelphia, PA 19103
(215) 665-8700

Attorneys for Plaintiff

Dated: 3/7/28

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JOHN DOES 1-10,	:	
	:	
Defendants.	:	
	:	

DECLARATION OF FRANCIS X. TANEY, JR.

Pursuant to 28 U.S.C. § 1746, I, Francis X. Taney, Jr., declare as follows:

1. I am an attorney at law licensed to practice in the Commonwealth of Pennsylvania and the State of New Jersey, and have been admitted to practice before this Court *pro hac vice* for the purpose of representing plaintiff Eros, LLC ("Eros") in this matter.

2. I submit this declaration in support of Eros's Motion for an Extension of Time to Apply for Default Judgment.

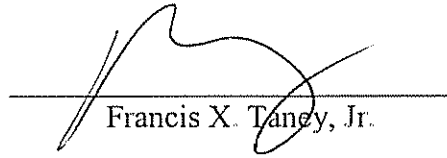
3. The parties have been engaged in settlement discussions that Eros expects will result in the entry of a consent judgment reflecting a settlement of this matter.

4. As the parties require additional time to finalize the form of consent judgment, Eros respectfully requests that the Court grant Eros an extension of time until March 21, 2008 to file a motion for entry of a default judgment.

5. Eros expects that the grant of this extension will allow the parties sufficient time to finalize a form of consent judgment for entry in this case, and ultimately obviate the need for proceedings in connection with an application for the entry of a default judgment.

I hereby declare under the penalty of perjury under the laws of the United States of America that the foregoing statements made by me are true and correct.

Executed in Philadelphia, Pennsylvania
on March 7, 2008

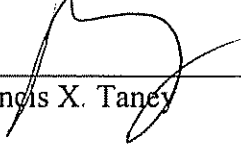


Francis X. Tancy, Jr.

CERTIFICATE OF SERVICE

I, Francis X. Taney, hereby certify that on this 7th day of March, 2008, a true and correct copy of the foregoing Plaintiff's Motion for an Extension of Time to Apply for Default Judgment, Declaration of Francis X. Taney, Jr. and proposed order and has been served via first-class mail, upon the following:

Robert Leatherwood
7625 Sybil Drive
North Richland Hills, Texas 76180



Francis X. Taney