

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

DENNIS HUNT,

Plaintiff,

Case No: 8:07-CV-1168-T-30TBM

vs.

LAW LIBRARY BOARD, NORMA J. WISE,
and DAVID L. PILVER,

Defendants.

_____ /

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE A
RESPONSIVE PLEADING OUT OF TIME**

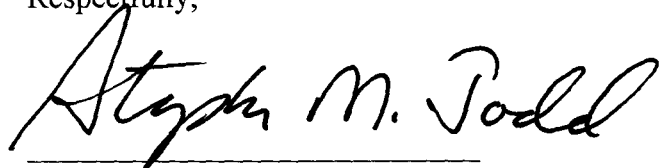
COMES NOW Defendants David L. Pilver and Norma J. Wise, through their undersigned counsel and file their Unopposed Motion for Leave to File a Responsive Pleading Out of Time, that is responsive to Plaintiff's Verified Amended Complaint (Doc. 9). As grounds therefore, Defendants' undersigned counsel states as follows:

1. Undersigned has consulted with Plaintiff's counsel, who indicates he does not oppose the relief requested herein.
2. The Court rendered an Order Denying Defendant Pilver and Wise's Joint Motion to Dismiss, on September 22, 2008 (Doc. 21). The Order did not mention a deadline for filing an Answer and Affirmative Defenses, so Rule 12(a)(4)(A), Fed.R.Civ.P. would apply, requiring that an Answer and Affirmative Defenses be filed within 10 days of the Order. However, due to a clerical oversight, undersigned did not docket a due date for filing an Answer and Affirmative Defenses on his office calendar. Due to this clerical oversight, the Answer and Affirmative Defenses were not prepared.

This oversight was inadvertent and undersigned apologizes to the Court and to Counsel for this error.

3. Undersigned requests the Court grant Pilver and Wise ten (10) days within which to file their Answers and Affirmative Defenses responsive to the Complaint. In light of the consent of Plaintiff's counsel to this Motion, this request does not prejudice Plaintiff. Further, granting this Motion would not cause any delay in any of the deadlines established in this case. Conversely, denying the Motion would prejudice Pilver and Wise.

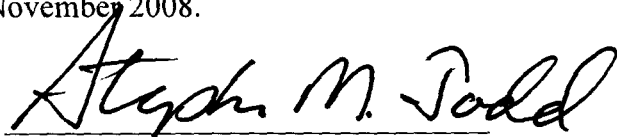
Respectfully,



Stephen M. Todd
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(813) 272-5670
Attorney for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was served to **Ryan Christopher Rodems, Esq.**, Barker, Rodems & Cook, P.A., via the Clerk's CM/ECF electronic filing system, on this 26th day of November 2008.



Stephen M. Todd