

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KLEIN & HEUCHAN, INC.

Plaintiff

v.

COSTAR REALTY INFORMATION, INC.,
and COSTAR GROUP, INC.

Civil No.: 8:08-cv-01227-JSM-EAJ

Defendants / Counter-Plaintiffs

v.

SCOTT BELL and KLEIN & HEUCHAN,
INC.

Counter-Defendants

**UNOPPOSED MOTION FOR ONE WEEK EXTENSION OF TIME TO
RESPOND TO MOTION FOR SUMMARY JUDGMENT**

Defendant / Counter-Defendant KLEIN & HEUCHAN, INC. (hereinafter "K&H"), by and through its undersigned counsel hereby respectfully moves to extend the time deadline to respond to Defendants / Counter-Plaintiffs' Motion for Summary Judgment one week from Friday, October 8, 2009 to Friday, October 16, 2009. Counsel for Defendants / Counter-Plaintiffs does not object to the relief requested herein.

The undersigned respectfully requests an extension in order to fully and concisely respond to the currently pending Defendants / Counter-Plaintiffs' Motion for Summary Judgment. The undersigned was recently involved in a one-week securities arbitration proceeding requiring one hundred percent of the undersigned's time and effort. During this time, the undersigned was unable to devote any time to briefing the issues before this

Court raised in the pending Motion. This brief extension will allow counsel for K&H to complete the legal research, fully review the transcripts of depositions already taken, and to prepare the counter brief and supporting affidavits. No party will be prejudiced by this short extension, given the short time period requested and because granting the request will not significantly reduce the time period available for the Court to review any dispositive motions or change the date for trial which is currently set for January 4, 2010.

LOCAL RULE 3.01(g) CERTIFICATION

Counsel for K&H certifies that it has conferred with counsel for Defendants / Counter-Plaintiffs and there is no objection to the relief requested herein.

MEMORANDUM OF LAW

This Court May Grant an Extension Upon a Showing of Good Cause

Rule 6 of the Federal Rules of Civil Procedure indicates that "(w)hen by . . . order of court an act is required . . . within a specified time, the court for cause shown may at any time in its discretion . . . order the period enlarged if request therefore is made before the expiration of the period originally prescribed." Fed.R.Civ.P. Rule 6(b). In essence, district courts are granted broad discretion under Rule 6(b) to expand filing deadlines. Hetzel v. Bethlehem Steel Corp., 50 F.3d 360, 367 (5th Cir. 1995). For the reasons outlined above, K&H respectfully requests this Court extend the current deadline to respond to the Motion for Summary Judgment through October 16, 2009.

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RESPECTFULLY SUBMITTED this 8th day of October, 2009.

/s/ Jeffrey W. Gibson
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 8, 2009, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which send a notice of electronic filing to the following:

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