

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CITY OF WINTER HAVEN,
a Florida municipal corporation,

Plaintiff,

vs.

Case No. 08:09CV-00190-T-17EAJ

CLEVELAND INDIANS BASEBALL
COMPANY, LP, an Ohio limited partnership,

Defendant.

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**DEFENDANT'S MOTION FOR EXTENSION OF TIME
TO FILE AND SERVE A RESPONSE TO THE COMPLAINT
[UNOPPOSED]**

Defendant, Cleveland Indians Baseball Company, LP, by and through its undersigned attorneys, hereby moves for an extension of time of two weeks, up to and including February 23, 2009, to file and serve a response to the Complaint in the above-entitled action on the grounds that undersigned counsel has just received the Complaint and requires an adequate period of time to prepare, file and serve a motion or answer which is well researched and specific.

Undersigned counsel certifies that he has conferred with counsel of record for the Plaintiff who has indicated that he does not oppose this motion being granted by the Court.

Dated: February 9, 2009

PETERSON & MYERS, P.A.

By: s/ J. Davis Connor

J. Davis Connor, Esq.

FBN 0713413

P. O. Box 24628

Lakeland, FL 33802-4628

Telephone: (863) 683-6511

Facsimile: (863) 904-1335

Email: jconnor@petersonmyers.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 9, 2009, I electronically filed the foregoing Motion with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following counsel of record: Frederick J. Murphy, Jr., Boswell & Dunlap, LLP, P. O. Drawer 30, Bartow, FL 33831 and Warren Andrew Crawford, Esq. Boswell & Dunlap, LLP, P. O. Drawer 30, Bartow, FL 33831.

s/ J. Davis Connor
J. Davis Connor, Esq.