

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

CASE NO.: 06-21748-CIV-MARTINEZ-BANDSTRA

MARK J. GAINOR and ELYSE GAINOR,

Plaintiffs,

v.

SIDLEY AUSTIN LLP, a Delaware limited liability  
Partnership, f/k/a SIDLEY AUSTIN  
BROWN & WOOD, f/k/a BROWN & WOOD,  
R. J. RUBLE, an individual, ARTHUR  
ANDERSEN, LLP, an Illinois limited liability  
partnership, MICHAEL S. MARX, an individual,  
P. ANTHONY NISSLEY, an individual,  
MERRILL LYNCH & CO., INC., a Delaware  
corporation, and MARK C. KLOPFENSTEIN,  
an individual,

Defendants.

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**PLAINTIFFS' UNOPPOSED MOTION FOR ENLARGEMENT OF TIME  
TO RESPOND TO SIDLEY AUSTIN LLP'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT ON DAMAGES**

Plaintiffs, Mark J. Gainor and Elyse Gainor, by and through their undersigned counsel, hereby file this unopposed motion for enlargement of time up through and including August 23, 2007 for Plaintiffs to file their memoranda in response to Sidley Austin LLP's Motion for Partial Summary Judgment on Damages. Defendant, Sidley Austin, does not oppose this motion. As grounds for this motion, Plaintiffs state:

1. On July 26, 2007, Defendant, Sidley Austin served its Motion for Partial Summary Judgment on Damages.

2. Under Local Rule 7.1.C.1 of the United States District Court for the Southern District of Florida, Plaintiffs' response shall be served on August 9, 2007.

3. Plaintiffs are still evaluating Sidley's motion and are in the process of reviewing information and relevant documents in formulating a response.

4. Plaintiffs' counsel submits that the requested enlargement of time will not delay the case, nor will it prejudice the parties.

5. Counsel for Plaintiffs has conferred with counsel for Sidley Austin, who has graciously agreed to the enlargement of time up through and including August 23, 2007 for Plaintiffs to serve their response to the Motion for Partial Summary Judgment on Damages.

WHEREFORE, Plaintiffs respectfully request that this Court enter an Order granting this Unopposed Motion for Enlargement of Time for Plaintiffs to file their response to Sidley Austin LLP's Motion for Partial Summary Judgment on Damages.

s/ Richard Candelora  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 8<sup>th</sup> day of August, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Richard Candelora  
Richard Candelora

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