

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.

**PLAINTIFFS' UNOPPOSED MOTION FOR ENLARGEMENT OF TIME
TO RESPOND TO R. J. RUBLE'S MOTION TO STAY**

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 September 20, 2007 for Plaintiffs to file their memoranda in response to R.J. Ruble's Motion to Stay. Defendant, R.J. Ruble, does not oppose this motion. As grounds for this motion, Plaintiffs state:

1. On August 27, 2007, Defendant, R.J. Ruble, served his Motion to Stay.
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 September 11, 2007.
3. There are conflicting considerations to the requested stay. Mr. Ruble understandably does not want to provide any information until his criminal trial is over, and

probably will not do so. However, it is critically important that information be obtained from Mr. Ruble during the discovery phase, and the Court-ordered discovery cut-off date in this matter is November 8, 2007. These facts make this situation extremely complex, and Plaintiffs will require additional time to analyze, discuss with clients, attempt to reach a consensus position with other parties to the case, and determine their position. Further, Plaintiffs' counsel responsible for the response will be out of the country until September 10, 2007.

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 Mr. Ruble, who has graciously agreed to the enlargement of time up through and including September 20, 2007 for Plaintiffs to serve their response to the Motion to Stay.

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 Mr. Ruble's Motion to Stay.

s/ Richard Candelora
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th 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
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