

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 06-21748-CIV-MARTINEZ-BANDSTRA

MARK J. GAINOR and ELYSE GAINOR,

Plaintiff,

vs.

SIDLEY, AUSTIN, BROWN & WOOD, LLP
et al.,

Defendants.

**ORDER GRANTING PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO
RESPOND TO DEFENDANT ARTHUR ANDERSEN, LLP'S MOTION TO DISMISS,
AND FOR EXTENSION OF TIME FOR DEFENDANTS ARTHUR ANDERSEN, LLP
AND MICHAEL S. MARX AND P. ANTHONY NISSLEY TO FILE THEIR REPLY
MEMORANDA**

THIS CAUSE came before the Court upon Plaintiffs' Agreed Motion for Extension of Time to File to Respond to Defendant Arthur Andersen, LLP's, and for Extension of Time for Defendants Arthur Andersen, LLP and Michael S. Marx and P. Anthony Nissley to File Reply Memoranda (**D.E. No. 83**), filed on June 26, 2007. Arthur Andersen, LLP filed a Motion to Dismiss on June 13, 2007. Pursuant to Local Rule 7.1, Plaintiffs' response was due July 2, 2007. Plaintiffs are seeking to extend that deadline to July 11, 2007. They agree, in turn, to support a ten-day extension of time for Defendants Arthur Andersen LLP, Michael S. Marx, and P. Anthony Nissley to file their reply memoranda. Ordinarily, Defendants would be expected to reply within 5 days.

The Court cautions the parties that filing a motion for an extension of time is not a substitute for tendering the brief as due. *Ramos v. Ashcroft*, 371 F. 3d 948, 949 (7th Cir. 2004).

Nevertheless, the Court has carefully considered the motion, which the Defendants do not oppose, and is otherwise duly advised of the complex issues raised in Defendants Arthur Andersen, LLP's Motion to Dismiss. The Court has carefully considered the motion and is otherwise duly advised. It is hereby:

ORDERED and ADJUDGED that

1. Plaintiffs' Agreed Motion for Extension of Time to File a Response to Defendant Arthur Andersen, LLP's Motion to Dismiss, and for Extension of Time for Defendants Arthur Andersen, LLP and Michael S. Marx and P. Anthony Nissley to File Reply Memoranda (**D.E. No. 83**) is **GRANTED**.

2. Plaintiffs shall file a response to Defendant Arthur Andersen, LLP's Motion to Dismiss on or before July 11, 2007.

3. Defendants Arthur Andersen, LLP, Michael S. Marx and P. Anthony Nissley shall have until July 25, 2007 to file reply memoranda.

DONE AND ORDERED in Chambers at Miami, Florida, this 2 day of July, 2007.

ALAN S. GOLD


JOSE E. MARTINEZ

UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Bandstra
All Counsel of Record