

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 07-21221-CIV-ALTONAGA/TURNOFF

RENEE BLASZKOWSKI, AMY
HOLLUB, and PATRICIA DAVIS,
individually and on behalf of others
similarly situated,

Plaintiffs,

vs.

MARS, INC., et al.,

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO
RESPOND TO CORRECTED AMENDED CLASS ACTION COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 7.1, Defendants, PET SUPPLIES "PLUS" and PET SUPPLIES/PLUS USA, INC. (hereinafter collectively "Pet Supplies 'Plus'"), respectfully request a ten (10) day extension of time in which to respond to Plaintiffs'/Class Representatives' Corrected Amended Class Action Complaint. In support of the instant motion, these Defendants state:

1. The undersigned counsel was retained less than one (1) week ago to represent Pet Supplies "Plus" in this action. Pet Supplies "Plus" were added as Defendants for the first time in the Corrected Amended Class Action Complaint.

2. All Defendants' responses to the Corrected Amended Class Action Complaint are due today, Thursday, September 13, 2007, pursuant to this Court's Order dated August 14, 2007. (D.E. 169).

3. Pursuant to the Court's direction (D.E. 142, *Hearing Transcript* at pp.22-25 and 27: 7-10), Pet Supplies "Plus" intend to adopt and incorporate the consolidated response to the Corrected Amended Class Action Complaint that will be filed by other Defendants in this action on September 13, 2007.

4. However, Pet Supplies "Plus" intend to also present additional and unique grounds in their response to the Corrected Amended Class Action Complaint, and are required by rule to present all their grounds in one response.¹ Specifically, Pet Supplies "Plus" intend to present the defense of lack of personal jurisdiction and service of process.

5. Pet Supplies "Plus" need an additional ten (10) days to prepare complete responses to the Corrected Amended Class Action Complaint and necessary supporting declarations regarding the defenses of lack of personal jurisdiction and service of process.

6. This motion is made in good faith and not for any purpose of undue delay.

7. Pursuant to Local Rule 7.1 (3)(a), counsel for Pet Supplies "Plus" has conferred with Plaintiffs' counsel, who does *not* oppose the relief sought by this motion.

8. A proposed Order is attached hereto as "Exhibit 1."

WHEREFORE, Defendants, Pet Supplies "Plus" respectfully request a ten (10) day extension of time to serve a responsive pleading to the Corrected Amended Class Action Complaint.

¹ By filing this motion, undersigned counsel is entering a limited, special appearance, and not a general appearance, for Pet Supplies "Plus". Pet Supplies "Plus" hereby reserves and does not waive any and all defenses to the Corrected Amended Class Action Complaint, including the defense of lack of personal jurisdiction and service of process.

Dated: September 13, 2007
Miami, Florida

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 13, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that this document is being served this day on to all counsels on the attached service list via transmission of Notices of Electronic Filing generated by CM/ECF.

s/ Dominick V. Tamarazzo

SERVICE LIST

CASE No. 07-21221-CIV-ALTONAGA/TURNOFF

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