

United States District Court
Southern District of Florida

Case No.: 07-22670 CIV-SEITZ/MCALILEY

Stockwire Research Group, Inc.
a Florida corporation, and
ADRIAN JAMES, a Texas Resident,

Plaintiffs,

vs.

Jonathan Lebed, a Florida resident,
Lebed Biz, L.L.C., a New Jersey Limited
Liability Company, PIGASA, INC., a New
Jersey Corporation, and Constance Lebed,
a New Jersey Resident,

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO REPLY
TO PLAINTIFFS' OPPOSITION TO DEFENDANT CONSTANCE LEBED'S
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Defendant Constance Lebed respectfully moves the Court to enlarge the time to reply to Plaintiffs' Opposition to Defendant Constance Lebed's Motion to Dismiss for Lack of Personal Jurisdiction, as authorized by Federal Rule of Civil Procedure 6(b), and in support thereof avers as follows.

Argument

A court may grant a request for an extension of time for "cause shown." Fed. R. Civ. P 6(b).

The court should grant Defendant's request for an extension of time to reply to Plaintiffs' Opposition to Defendant Constance Lebed's Motion to Dismiss for Lack of Personal Jurisdiction for the following reasons:

- A. Due to the wrong filing of the e-mail from the CM/ECF system, Defendant did not realize until late in the day of January 10, 2008, that Plaintiffs had filed an opposition to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction.
- B. As the deadline to file Defendant's reply to would be on January 11, 2008, Defendant would not have time to properly reply the complex legal issues addressed in Plaintiffs' opposition.
- C. Defendant promptly called Plaintiffs' counsel the next day and requested that Plaintiff grant Defendant a five-day extension to reply to Plaintiffs' opposition, which was agreed to by Plaintiffs' counsel.
- D. Defendants' request for an extension of time is in good faith and for cause shown, as stated in this motion, not to delay these proceedings. See Fed. R. Civ. P. 6(b).
- E. The potential impact on the judicial proceedings is not significant.

WHEREFORE, Defendant moves this Court to extend the time to reply to Plaintiff's Opposition to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction until January 18, 2008.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 11, 2008, 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 in 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/ Amaury Cruz, Esq.

SERVICE LIST

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