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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG  
Magistrate Judge: Magistrate Judge Jonathan Goodman

HOWARD ADELMAN and JUDITH SCLAWY-  
ADELMAN, as Co-Personal Representative of the  
Estate of MICHAEL SCLAWY-ADELMAN,

Plaintiffs,

v.

BOY SCOUTS OF AMERICA, THE SOUTH  
FLORIDA COUNCIL, INC.; BOY SCOUTS OF  
AMERICA; PLANTATION UNITED  
METHODIST CHURCH; HOWARD K.  
CROMPTON, individually; and ANDREW L.  
SCHMIDT, individually,

Defendants.

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**MOTION FOR ENLARGEMENT OF TIME TO COMPLY  
WITH COURT ORDER [DE 247]**

Defendant, ANDREW L. SCHMIDT, by and through the undersigned counsel, and in accordance with the applicable Federal Rules of Civil Procedure, hereby files this Motion for Enlargement of Time to Comply with Court Order [DE 247], and in support thereof, states as follows:

1. On Thursday, July 14, 2011, this Court held a hearing on Plaintiffs' Motion to Compel Production from Defendant, Schmidt.
2. At the hearing, the Court permitted this Defendant to file a Memorandum of Law in Support of its response to Plaintiffs' Motion to Compel. The deadline to file the Memorandum of Law is July 21, 2011.

3. Undersigned counsel is in need of additional time to research, prepare and file Defendant, Schmidt's Memorandum of Law. At yesterday's hearing, undersigned counsel advised the Court that his annual vacation commences this coming Monday morning, July 18, 2011. Undersigned counsel and his family will be in California until July 27, 2011. Undersigned counsel will return to the office on July 28, 2011.

4. After yesterday's hearing, undersigned counsel was informed that his associate, Drew Levin, is leaving tonight to go Chicago and will not return to the office until Tuesday, July 19, 2011. No other lawyers have worked on this case other than undersigned counsel and Mr. Levin, and Mr. Levin is needed to perform the research for the Memorandum of Law.

5. Undersigned counsel is in need of additional time to file the Memorandum of Law, and would request this Honorable Court to grant an enlargement of time up until the end of the day on July 29, 2011.

6. Undersigned counsel sent an e-mail to Plaintiffs' counsel, Robert Peltz, Esq., yesterday evening advising of our intention to file a motion for extension of time. (See Exhibit "A"). No response has been received. Mr. Levin called Mr. Peltz's office this morning, and left a voice message, but his call has not been returned.

#### **LR 7.1 CERTIFICATION**

Undersigned counsel attempted to confer with Plaintiffs' counsel, by e-mail and by telephone, to ascertain if Plaintiffs agree to this request for an extension of time, but Plaintiffs' counsel has not responded to undersigned counsel's e-mail and telephone call.

WHEREFORE, the Defendant, Andrew L. Schmidt, respectfully requests that this Honorable Court grant an enlargement of time up to and until July 29, 2011, for the filing of his Memorandum of Law and to comply with [DE 247].

I HEREBY CERTIFY that on July 15, 2011, 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 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/ Frederick E. Hasty III

Frederick E. Hasty III, Esquire

Florida Bar No. 260606

WICKER, SMITH, O'HARA,

McCOY & FORD, P.A.

Attorneys for Andrew L. Schmidt and

Howard K. Crompton

2800 Ponce de Leon Boulevard, Suite 800

Coral Gables, FL 33134

Phone: (305) 448-3939

Fax: (305) 441-1745

E-mail: FHasty@WickerSmith.com

Service List

Ira H. Leesfield, Esquire  
Leesfield & Partners, P.A.  
2350 South Dixie Highway  
Miami, FL 33133

Robert D. Peltz, Esquire  
Leesfield & Partners, P.A.  
2350 South Dixie Highway  
Miami, FL 33133

William S. Reese, Esquire  
Lane, Reese, Summers, Ennis & Perdomo  
Douglas Centre, Suite 304  
2600 Douglas Road  
Coral Gables, FL 33134

Greg M. Gaebe, Esquire  
Gaebe, Mullen, Antonelli, Esco & DiMatteo  
420 South Dixie Highway, 3rd Floor  
Coral Gables, FL 33146

William L. Summers, Esquire  
Lane, Reese, Summers, Ennis & Perdomo  
2600 Douglas Road, Suite 304  
Coral Gables, FL 33134

Ubaldo J. Perez, Jr., Esquire  
Law Office of Ubaldo J. Perez, Jr., P.A.  
8181 N.W. 154 Street, Suite 210  
Miami Lakes, FL 33016

Horace Clark, Esquire  
U.S. Department of the Interior  
Office of the Regional Solicitor  
Southeast Region  
75 Spring Street, S.W., Suite 304  
Atlanta, GA 30303