

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

DAVID KARDONICK, individually and on
behalf of all others similarly situated and the
general public,

Plaintiff,

vs.

JPMORGAN CHASE & CO. and
CHASE BANK USA, N.A.,

Defendants.

CASE NO.:

1:10-cv-23235/HOEVELER

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

**PLAINTIFF'S UNOPPOSED MOTION TO FILE LEGAL MEMORANDUM
IN EXCESS OF 20 PAGES IN RESPONSE TO MOTION TO INTERVENE**

Pursuant to Local Rule 7.1(c)(2), Plaintiff DAVID KARDONICK hereby requests permission to file a legal memorandum in opposition to the Motion to Intervene of up to 30 pages in length. In support of this motion, Plaintiff hereby states as follows:

1. On March 9, the objectors filed their Motion to Intervene, which was accompanied by a 20 page memorandum. The Movants' memorandum asks this Court to (a) permit them to intervene in this action, (b) name Movants' counsel as new Class counsel, and (c) vacate the preliminary approval order.

2. The Motion to Intervene covers a wide range of factual and legal questions. In order to address this range of issues, Plaintiff respectfully requests leave to file a legal memorandum that will not exceed 30 pages in length.

3. Plaintiff will use its best efforts to keep the memorandum as short as possible while still addressing the necessary range of factual and legal issues in a manner that it believes will be helpful to the Court.

4. This motion is made in the interest of justice, not to delay the proceedings, and will not prejudice any party.

Certification Pursuant to Local Rule 7.1

5. The undersigned counsel certifies that Counsel for the Movants (Kevin Landau, Esq.) and counsel for the Defendants (Andrew Soukup, Esq.) do not oppose this motion

Respectfully Submitted,

Dated: March 28, 2011

Ku & Mussman, P.A.

/s/ Brian Ku
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of March, 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 or pro se parties 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/ Brian Ku
Brian Ku (FL Bar # 610461)

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CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO FILE LEGAL
MEMORANDUM IN EXCESS OF 20 PAGES IN RESPONSE
TO MOTION TO INTERVENE**

THIS CAUSE, having come before the Court upon Plaintiff's Unopposed Motion to File Legal Memorandum in Excess of 20 Pages in Response to Motion to Intervene, and the Court being fully advised in the premises.

IT IS HEREBY ORDERED AND ADJUDGED that said Motion is GRANTED.

DONE AND ORDERED in Chambers this ____ day _____ of, 2011.

United States District Judge

cc: All counsel of record