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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(Miami Division)
CASE NO. 01-1217-CIV-LENARD/TURNOFF

USA AIRMOBILE, INC.,)
)
Plaintiff,)
)
vs.)
)
AIR 2, LLC; LLOYD HILL,)
THOMAS P. McSHANE and)
MARK D. CAMUS,)
)
Defendants.)
_____)

STIPULATED MOTION FOR EXTENSION OF TIME
TO RESPOND TO DEFENDANTS'
MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiff USA Airmobile, Inc., by and through undersigned counsel, hereby files this Stipulated Motion for Extension of Time to Respond to Defendants' Motion for Partial Summary Judgment and states as follows:

1. Defendants' Motion for Partial Summary Judgment and Memorandum of Law was served by U.S. Mail on December 21, 2001.
2. Pursuant to the Court's Twenty-One Day Notice of Consideration of Motion for Partial Summary Judgment, Plaintiff's response in opposition is to be filed no later than 10 days plus mailing time from the date of the filing of said Motion.
3. Accordingly, Plaintiff's response to said Motion is due on January 9, 2002.

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4. Defendants' motion was served by mail over the holiday period and, due to absences during the holiday period, was not actually received by the undersigned until January 2, 2001.


5. Plaintiff respectfully requests a one week extension of time, or up to and including Wednesday, January 16, 2002, to provide sufficient time for Plaintiff to prepare and file its response in opposition to Defendants' motion for partial summary judgment.

6. The undersigned has conferred with counsel for the Defendants who has agreed to the extension of time requested herein.

WHEREFORE, Plaintiff respectfully requests this Court grant it an extension to respond to said Motion up to and including Wednesday, January 16, 2002.

Respectfully submitted,


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By: 
Patrick A. Barry, Esq.
Florida Bar No. 141129
Mark D. Bowen, Esq.
Florida Bar No. 29173

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by telefax and U.S. Mail to: Harvey W. Gurland, Esq., Attorney for Defendants, Duane, Morris & Heckscher LLP, 200 South Biscayne Boulevard, Suite 3410, Miami, Florida, 33131 on this 7th day of January, 2002.

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USA AIRMOBILE, INC.,

Plaintiff,

vs.

AIR 2, LLC; LLOYD HILL,
THOMAS P. McSHANE and
MARK D. CAMUS,

Defendants.

_____ /

**ORDER GRANTING STIPULATED MOTION FOR EXTENSION
OF TIME TO RESPOND TO DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT**

THIS CAUSE having come before the Court on Plaintiff's Stipulated Motion for Extension of Time to Respond to Defendants' Motion for Partial Summary Judgment , and the Court having considered the record and being otherwise duly advised in the premises, it is

ORDERED AND ADJUDGED that the Stipulated Motion for Extension of Time to Respond to Defendants' Motion for Partial Summary Judgment is hereby GRANTED. Plaintiffs shall have up to and including January 16, 2002 to serve its reply to Defendants' Motion for Partial Summary Judgment.

DONE AND ORDERED in Chambers in Miami, Florida on this ____ day of January, 2002.

United States District Judge

Copies furnished to:

Harvey W. Gurland, Jr., Esq.

Duane, Morris & Heckscher LLP, 200 South Biscayne Boulevard, Suite 3410, Miami, FL, 33131

Mark D. Bowen, Esq. And Patrick A. Barry, Esq.

Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A., 200 East Broward Boulevard, Suite 1900, Fort Lauderdale, FL, 33301