

RTShannon/llz

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBERT DEMAR)	
)	
Plaintiff,)	
)	
v.)	Case No. 05 C 5093
)	
THE CHICAGO WHITE SOX, et al.)	Judge Der-Yeghiayan
)	
Defendants.)	

AGREED MOTION FOR LEAVE TO FILE INSTATER

NOW COME the Defendants, Chicago White Sox, Ltd., ChiSox Corporation, At Your Service, Inc. and At Your Service LLC, by and through their attorneys, Robert T. Shannon and James C. Vlahakis LLP, and for their Agreed Motion for Leave to File instanter, state as follows:

1. Pursuant to the waiver of Summons issued to the above referenced Defendants, the Defendants' responsive pleadings were due to be filed on or before November 4, 2005.

2. Counsel for these Defendants have been investigating Plaintiff's claims, have been conducting legal research and have been discussing the allegations in the Complaint with their clients.

3. Counsel's ability to fully complete this process was recently delayed by virtue of the Major League Baseball's World Series, and the fact that staff for the named Defendants had commitments and obligations related to the World Series.

4. In addition, counsel for the Defendants has been involved with other professional commitments, including the researching and drafting of a Reply Brief in Support of Summary Judgment in the case Chambers vs. Sheahan, Court No 01 L 00527 and the drafting of a Reply Brief in Support of a Motion to Dismiss in the case Canel vs. Topinka, Court No 00 CH 13279.

5. As a result, these Defendants were not able to file their pleading in response to Plaintiff's Complaint by November 4, 2005. These Defendants hereby seek leave to file instanter, their Motion to Dismiss plaintiff's complaint, or in the alternative, for a more definite statement.

6. Plaintiff has no objection to the granting of this Motion for Leave.

7. No party will be prejudiced by the granting of this Motion, as not all named Defendants have yet appeared in the matter. In fact, this Court has set a status conference for December 1, 2005, for the purposes of receiving a report on the status of service of Summons and a briefing schedule on the Defendants' Motion to Dismiss may be entered at that time. In addition, the parties are already undertaking the exchange of discovery material.

8. This Motion is not brought to unduly delay this matter, but it is brought so that the Defendants' responsive pleading may be properly prepared and presented to this Court with due speed.

WHEREFORE, the Defendants, Chicago White Sox, Ltd., ChiSox Corporation, At Your Service, Inc. and At Your Service LLC, respectfully request leave from this Court to file their Motion to Dismiss or in the alternative for a more definite statement, instantler, and for any additional relief that this Court deems just and proper.

Respectfully submitted,

By: /s/ James C. Vlahakis

One of the Attorney for defendants,
Chicago White Sox, Ltd., ChiSox
Corporation (hereinafter the "Sox
defendants"), At Your Service, Inc. and
At Your Service LLC

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CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2005, I electronically filed defendants, Chicago White Sox, Ltd., ChiSox Corporation (hereinafter the "Sox defendants"), At Your Service, Inc. and At Your Service LLC's **Motion For Leave To File Instanter**, with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

Respectfully submitted,

By: /s/ James Vlahakis

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