

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JOHN R. LOTT, JR.,	)	
	)	
Plaintiff,	)	
	)	Case No. 06 C 2007
v.	)	
	)	Judge Castillo
	)	
STEVEN D. LEVITT and	)	Magistrate Judge Levin
HARPERCOLLINS PUBLISHERS, INC.,	)	
	)	
Defendants.	)	

**AGREED MOTION TO EXTEND TIME  
FOR DEFENDANT LEVITT TO RESPOND TO COUNT II**

Defendant Steven D. Levitt (“Levitt”), by his attorneys, moves this Court for entry of an order extending the time for him to file a response to Count II of the Complaint to a date 21 days following the settlement conference set by this Court. In support of this motion, Levitt states as follows:

1. On January 16, 2007, the Court entered an order dismissing, with prejudice, Count I of the Complaint as to all defendants, but denying Levitt’s motion to dismiss Count II. Under Rule 12(a)(4)(A) and Rule 6(a) of the Federal Rules of Civil Procedure, Levitt’s answer to Count II is due on January 30, 2007.

2. A settlement conference in this action is currently scheduled for January 31, 2007.

3. The parties are currently considering a possible new date for the settlement conference based on the conflicting schedules of parties and attorneys.

4. Levitt respectfully submits that it would serve the interests of economy for both the Court and the parties if the time for him to respond to Count II by motion or answer was deferred until after the settlement conference.

5. Slade Metcalf, one of Levitt's attorneys, represents that he has conferred with Stephen Marcus, one of plaintiff's attorneys, and that Mr. Marcus has agreed to extend the time for Levitt to answer or otherwise respond to a date 21 days after the completion of the settlement conference.

WHEREFORE, defendant Steven Levitt prays that the Court enter an order extending the time for him to file his response to Count II to a date 21 days after the completion of the settlement conference in this case.

STEVEN D. LEVITT

By: s/ David P. Sanders  
One of his attorneys

Slade R. Metcalf, Esq.  
Gail C. Gove, Esq.  
HOGAN & HARTSON L.L.P.  
875 Third Avenue  
New York, New York 10022  
Tele: 212-918-3000

David P. Sanders, Esq.  
Wade A. Thomson, Esq.  
JENNER & BLOCK LLP  
330 North Wabash Avenue  
Chicago, Illinois 60611  
Tele: 312-222-9350