

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

<b>ROLANDO PADRON, BOBIRT R. MIRANDA and EUSEBIO R. CALZADA, individually and on behalf of all others similarly situated,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>Case No. 1:10-CV-06656</b>
	)	
<b>vs.</b>	)	<b>Judge James B. Zagel</b>
	)	
<b>WAL-MART STORES, INC., d/b/a WALMART,</b>	)	<b>Magistrate Judge</b>
	)	<b>Geraldine Soat Brown</b>
<b>Defendant.</b>	)	

**DEFENDANT'S UNCONTESTED MOTION FOR EXTENSION OF  
TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' COMPLAINT**

Defendant Wal-Mart Stores, Inc., d/b/a Walmart ("Wal-Mart" or "Defendant") by its counsel, Greenberg Traurig, LLP, hereby moves this Court pursuant to Fed. R. Civ. P. 6(b) for an Order granting an additional 37 days, to and including December 31, 2010, within which Defendant must answer or otherwise respond to Plaintiffs Rolando Padron, Bobirt R. Miranda and Eusebio R. Calzada's ("Plaintiffs") Complaint. Defendant seeks this extension in order to conduct settlement discussions prior to the initiation of full discovery and litigation. Counsel for Defendant has contacted counsel for Plaintiffs, who have indicated that Plaintiffs do not oppose this Motion For Extension of Time. In support of this uncontested Motion, Defendant states as follows:

1. Plaintiffs filed their Complaint in this matter on October 15, 2010. The Complaint was served on Defendant on November 3, 2010. Accordingly, Defendant's answer or other responsive pleading is currently due on November 24, 2010.

2. Defendant respectfully requests an additional 37 days from the current response date, to and including December 31, 2010, to respond to the Complaint and explore settlement.

For the reasons set forth below, there is good cause to grant this extension pursuant to Fed. R. Civ. P. 6(b).

3. Defendant has indicated to counsel for Plaintiffs its desire to attempt to settle this case prior to the initiation of full discovery and litigation. Counsel for Plaintiffs have agreed with the concept in principle and are willing to actively explore settlement in the coming days and weeks.

4. Furthermore, this 27-page, nine-count Complaint presents complex legal and factual issues, including individual and class allegations. Additional time is needed to complete a full investigation and analysis of the legal and factual issues, as alleged.

5. This is the first extension of time requested by Defendant, and this extension is made in good faith and without purpose of harassment or delay. No prejudice will result should Defendant's request be granted because counsel for Plaintiffs have indicated that they have no opposition to this Motion.

WHEREFORE, Defendant, Wal-Mart Stores, Inc, d/b/a Walmart respectfully requests that this Court grant its Motion for Extension of Time and enter an Order granting Defendant an additional 37 days, to and including December 31, 2010, to answer or otherwise respond to Plaintiffs' Complaint, and for all other relief this Court deems just and appropriate.

Dated: November 19, 2010

WAL-MART STORES, INC.  
d/b/a WALMART

By: /s/ Daniel T. Fahner  
Daniel T. Fahner  
GREENBERG TRAUERIG, LLP  
77 W. Wacker Drive  
Suite 3100  
Chicago, IL 60601  
(312) 456-8400  
(312) 456-8435 Fax