

UNITED STATES DISTRICT COURT
Northern District of Indiana
South Bend Division

HEARTLAND RECREATIONAL)	
VEHICLES, LLC,)	
Plaintiff,)	
)	CASE NO.: <u>3:08-cv-490 AS- CAN</u>
v.)	
)	
FOREST RIVER, INC.,)	JURY DEMAND
Defendant.		

**FOREST RIVER’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
RESPOND TO HEARTLAND’S MOTION TO DISMISS FOREST RIVER, INC.’S
CRIMINAL DECEPTION COUNTERCLAIM**

Forest River, Inc., requests a two week extension of time in which to respond to Heartland’s “Motion to Dismiss Forest River, Inc.’s Criminal Deception Counterclaim,” docket #33 in this case. That motion was filed and served on February 23, 2009, and a response would be due on March 13, 2009. With this extension of time, the response would be due on March 27, 2009.

The reason for the request is that since prior to February 17, 2009, the undersigned counsel for Forest River has been in attendance at the jury trial case of *Trealoff, et al., v. Forest River, Inc., et al.*, Civil Action #SCVSS96372 before the Superior Court of California, County of San Bernadino. This trial is still in progress in San Bernadino, California, although closing arguments are expected to be completed by March 25, 2009.

The undersigned counsel contacted David Irmscher, Heartland’s counsel, on March 11, 2009, at 3:20 p.m., and Mr. Irmscher stated he had no objection to this extension of time.

A proposed form of Order has been sent to chambers herewith.

Dated: March 13, 2009

Respectfully submitted,

s/Ryan M. Fountain

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Attorney for Defendant Forest River, Inc.

Certificate of Service

I certify that on March 13, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF system, which sent notification of such filing to all of the parties through at least the following counsel of record:

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s/Ryan M. Fountain

Ryan M. Fountain

Attorney for Defendant Forest River, Inc.