

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: CoStar Realty Information, Inc., et al. v. Atkinson Hunt, et al.
Civil Case No. PJM 06-655

DATE: July 14, 2006

Before the Court are two requests from Defendant Atkinson Hunt for an extension of time in which to Respond to Plaintiffs' Complaint.

First, by letter of May 30, 2006, David Atkinson, President of Atkinson Hunt, requested a 45-day extension so that he could secure counsel. He also requested a change of venue. This letter was docketed as a motion, but since Mr. Hunt cannot appear on behalf of the corporation, the Court will not consider it.

Second, there is a Motion for Extension of Time to Answer or Respond filed June 30, 2006. This was filed several days after Atkinson Hunt retained the firm of Gorman & Williams to represent it. The Motion seeks an extension until August 11, 2006, citing both the need for counsel to obtain the information necessary to respond to the Complaint and a scheduling conflict arising from another matter before this Court. Plaintiffs have opposed this Motion, noting that the Complaint was filed on March 13, 2006 and Atkinson Hunt was served on March 20, 2006. Plaintiffs also emphasize that they have already consented to two substantial extensions, and that Atkinson Hunt has offered no valid excuse for the delay.

While the Court is sympathetic to Defendant's counsel's scheduling concerns, the substantial delays that have been caused by the failure to timely retain counsel are troubling. Moreover, the Court has already set a hearing on Defendant Resource Realty's Motion to Dismiss for August 28, 2006.

Accordingly, Atkinson Hunt's Motion for Extension of Time to Answer or Respond [Paper No. 23] is GRANTED, but the Court will only extend the time for response until July 28, 2006.

Should Atkinson Hunt elect to file a Motion to Dismiss, it will be heard along with Resource Realty's Motion on August 28, 2006.

Atkinson Hunt's "Motion" by way of David Atkinson's Letter of May 30, 2006 [Paper No. 18] is STRICKEN.

Despite the informal nature of this ruling, it shall constitute an Order of Court and the Clerk is directed to docket it accordingly.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE