

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DMITRIY SHIROKOV, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

Case: 1:10-cv-12043-GAO

DUNLAP, GRUBB & WEAVER PLLC; US
COPYRIGHT GROUP; THOMAS DUNLAP;
NICHOLAS KURTZ; GUARDALEY, LIMITED;
and ACHTE/NEUNTE BOLL KINO
BETEILIGUNGS GMBH & CO KG,

Defendants.

MOTION FOR LEAVE TO FILE RESPONSE TO MOTION TO DISMISS, WITH
SUPPORTING MEMORANDUM OF LAW, IN EXCESS OF TWENTY PAGES

Plaintiff Dmitriy Shirokov ("Plaintiff"), on behalf of himself and all others similarly
situated, by and through his undersigned attorneys, respectfully submits this Motion for
leave to file an response in excess of the twenty-page limit provided by Local Rule 7.1(b)
(4) to the Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) ("Defendants' Motion")
filed by Defendants Dunlap, Grubb & Weaver, PLLC, Thomas Dunlap, and Nicholas
Kurtz (the "Moving Defendants"). In support of this Motion, Plaintiff states as follows:

- 1. The memorandum of law filed in support of Defendants' Motion raises a variety of
defenses to Plaintiff's claims and putative class claims, including a challenge to
Plaintiff's standing, an assertion of Massachusetts' state litigation privilege as to both
federal and pendent state claims, and myriad count-specific claims for dismissal. The

breadth and complexity of the issues raised in Defendants' Motion, combined with its voluminous citations (including over one hundred cases), requires extensive discussion to clarify the issues presented therein.

2. Plaintiff's opposition will also respond to contentions made in Moving Defendants' motion for sanctions under Fed. R. Civ. P. 11.
3. The memorandum of law in support of Defendants' Motion is itself in excess of the twenty-page limit, consisting of thirty-one pages of text (excluding tables of contents and authorities, cover page and certificate of service).
4. Plaintiff did not oppose Moving Defendants' motion for leave to file a memorandum of law in excess of twenty pages in support of Defendants' Motion.

For the foregoing reasons, Plaintiff respectfully requests leave to file a response of sixty-eight pages. A proposed response is attached hereto as Exhibit A.

Dated: February 24, 2011

Respectfully submitted,

Dmitriy Shirokov

/s/ Daniel G. Booth
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Counsel for Plaintiff and Proposed Class

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

The undersigned counsel hereby certifies that on Thursday, February 24, 2011, I attempted to resolve or narrow the issues addressed in this motion by contacting Kara Thorvaldsen, counsel for Defendants Dunlap, Grubb & Weaver, PLLC, Thomas Dunlap, and Nicholas Kurtz, by electronic mail. I did not receive a response prior to filing the foregoing motion.

/s/ Daniel G. Booth

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2011, I electronically filed the foregoing Motion for Leave to File Response to Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b) (6), with Supporting Memorandum of Law, in Excess of Twenty Pages by using the ECF system.

I hereby certify that a true copy of the aforementioned documents will be served upon counsel of record for Defendants Dunlap, Grubb & Weaver, PLLC, Thomas Dunlap, and Nicholas Kurtz by Notice of Electronic Filing through the ECF system.

I further certify that true copies of the aforementioned documents will be served upon Defendants US Copyright Group, Guardaley, Limited, and Achte/Neunte Boll Kino Beteiligungs Gmbh & Co KG by mail sent on Friday, February 25, 2011.

/s/ Daniel G. Booth
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