

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

SAINT LOUIS UNIVERSITY,	)	
a Missouri benevolent corporation,	)	
	)	
Plaintiff,	)	Case No. 4:07CV1733 CEJ
	)	
v.	)	
	)	
AVIS MEYER,	)	
	)	
Defendant.	)	
	)	

**MOTION FOR ADDITIONAL TIME TO FILE DESIGNATION  
OF NEUTRAL BY PARTIES AND ADR CONFERENCE REPORT  
WITH MEMORANDUM IN SUPPORT**

COMES NOW Plaintiff Saint Louis University, through its undersigned counsel, and moves this Court for additional time to file the Designation of Neutral by Parties and ADR Conference Report, and for its Motion and Memorandum states as follows:

1. This is an intellectual property case involving Defendant Avis Meyer’s wrongful use of Plaintiff Saint Louis University’s trademarks and intellectual property.
2. On May 5, 2008, the Court appointed Frank B. Janoski, counsel for Plaintiff, as lead counsel with respect to the Court’s referral of the case to ADR and ordered that a designation of neutral and ADR conference report be filed by lead counsel no later than May 21, 2008.
3. Thereafter, the parties engaged in discussions regarding selection of a neutral.

4. As of the afternoon of May 21, 2008, discussions remained incomplete in that the parties had not exhausted the viable options and were continuing to discuss potential mediators that were feasible with regard to cost and experience.

5. Prior to completion of those discussions and without any notice to counsel for Plaintiff, Defendant filed its Motion for a Court Designated Neutral Mediator.

6. Indeed, while Plaintiff had rejected Defendant's initial selection and Defendant had rejected Plaintiff's initial selection, at the time of the filing of the Motion by Defendant, the parties were in the midst of discussions with regard to a third potential mediator who had agreed to work with the parties with regard to cost so that any fee would not hinder the success of the mediation.

7. Due to the filing of the Motion and with the expectation of continued discussions with regard to selection of a neutral, lead counsel requests additional time, up to and including June 3, 2008, to file the Court ordered Designation of Neutral by Parties and ADR Conference Report and otherwise determine how to proceed with regard to the pending Motion.

WHEREFORE, Plaintiff Saint Louis University respectfully requests that the Court grant additional time, up to and including June 3, 2008, to file the Court ordered Designation of Neutral by Parties and ADR Conference Report and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

**LEWIS, RICE & FINGERSH, L.C.**

By: \_\_\_\_\_ /s/ Frank B. Janoski

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ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21st day of May, 2008, the foregoing was filed with the Clerk of Court to be served via the Court's ECF system upon all counsel of record.

/s/ Frank B. Janoski

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