

1 v. Creative Concepts, Et. al., Cause no. 3:12-cv-02979. All of the cases arise out of the same or
2 similar transactions and events. The parties are engaged in a wide variety of depositions, motion
3 practice and discovery in the companion cases. Plaintiff's counsel made a mistake and failed to
4 calendar the response date for the Motion to Dismiss, and the deadline was inadvertently missed.
5

6 3. By way of explanation, but not excuse, several other deadlines in the companion
7 cases fell at or near the response deadline for the Motion to Dismiss in this case. The mistake
8 was not intentional or caused by lack of attention to the issues involved in these matters, but was
9 caused by confusion related to calendaring depositions, expert deadlines and other deadlines that
10 apply to the companion cases.

11 4. The parties have been litigating cases related to this transaction since 2009. To
12 date, no prior deadlines have been missed in this or any of the companion cases. During the time
13 that the deadline was missed, Plaintiffs counsel was heavily involved on a daily basis in
14 prosecuting and defending matters related to the companion cases. Much of this work will
15 ultimately benefit the case at bar, thus reducing any negative effects caused by the requested
16 extension.
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18 5. Undersigned counsel, Stan Broome, is solely responsible for missing the deadline
19 and accepts full responsibility for missing the deadline.
20

21 6. Undersigned counsel has conferred with counsel for Defendants NPL/Cavin
22 Donnell/Ricardo Pringle and counsel for Defendant Earl Mahan. Counsel for NPL/Cavin
23 Donnell/Ricardo Pringle and counsel for Earl Mahan are not opposed to the extension requested
24 herein. No other defendants have made an appearance.

25 7. This case is in its infancy. No scheduling order has been entered. It is not
26 expected that this extension will adversely delay the prosecution of the case.
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28 WHEREFORE, for the reasons stated herein Plaintiff respectfully requests that the

1 deadline to respond to the Motion to Dismiss (Doc. No. 4) be extended to **April 1, 2013**.

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3 Respectfully submitted,

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5 By: /s/ Stan Broome
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21 **ATTORNEYS FOR THE PLAINTIFFS**

22 **ORDER**

23 **IT IS SO ORDERED.**

24
25 DATED: March 25, 2013

26 
27 MIRANDA M. DU
28 UNITED STATES DISTRICT JUDGE