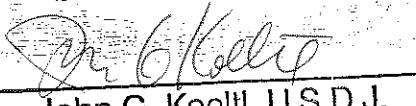


LAW OFFICES OF MICHAEL W. AYOTTE

APPLICATION GRANTED
SO ORDEREDVIA ECF

The Honorable John G. Koeltl
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 14A
New York, NY 10007-1312


John G. Koeltl, U.S.D.J.

September 3, 2021

9/6/21

Re: Watson v. NY DOE 2, et al. (1:19-cv-00533-JGK)
Plaintiff's Request for a 30-Day Extension to File His Responsive Pleading to
Illinois Doe 1's Crossclaim (ECF 195)

Dear Judge Koeltl,

Plaintiff submits this letter pursuant to Local Civil Rule 7.1(d) and this Court's Individual Practices, Rule 1.A and 1.E, to respectively request a 30-day extension to file his responsive pleading to Illinois Doe 1's Counterclaim Against Plaintiff Ralph M. Watson, filed on August 19, 2021. ECF 195. The Counterclaim alleges that Plaintiff's current defamation action was filed in violation of New York's recently amended anti-SLAPP laws.

Plaintiff's responsive pleading is currently due on September 9, 2021. Plaintiff, however, contends that the counterclaim was filed in violation of Rule 11 and is objectively unreasonable and has no chance for success in that it cannot state a viable claim. Today, Plaintiff has served (but not filed) on all parties a Notice of Motion and Motion for an Order Imposing Rule 11 Sanctions Against Defendant Illinois Doe 1's Counsel for Presenting Frivolous Claims in a Pleading. Pursuant to the safe harbor provisions of Rule 11, Illinois Doe 1 has 21 days to retract the pleading.

To the extent Illinois Doe 1 retracts her counterclaim, no responsive pleading or Rule 11 sanctions motion would be required. Unless the Court grants Plaintiff's requested 30-day extension, Plaintiff will be required to file a motion to dismiss the counterclaim on September 9, 2021, a date prior to the expiration of the 21-day safe harbor. Granting a 30-day extension will allow the safe harbor period to pass, and to the extent the counterclaim is not retracted, allow Plaintiff a reasonable amount of time to prepare his motion to dismiss.

Based on the foregoing, Plaintiff respectfully requests that the Court extend Plaintiff's time to respond to Illinois Doe 1's counterclaim from September 9, 2021 to October 11, 2021.

LAW OFFICES OF MICHAEL W. AYOTTE

Respectfully submitted,

s/ Michael W. Ayotte

Michael W. Ayotte

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cc: All counsel of record via ECF