

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,

Plaintiff,

v.

MARK ELLIOT ZUCKERBERG, Individually, and  
FACEBOOK, INC.

Defendants.

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Civil Action No. : 1:10-cv-00569-RJA

**EMERGENCY MOTION FOR  
THIRTY DAY EXTENSION TO  
FILE RESPONSE TO  
DEFENDANTS' MOTION TO  
DISMISS FOR STATUTE OF  
LIMITATIONS VIOLATION**

**MEMORANDUM**

Plaintiff was recently the target of a criminal complaint originating out of the Manhattan Federal Prosecutor's office. The Manhattan Federal Prosecutor (Southern District of New York) has alleged that Plaintiff's claim in this matter constitutes probable cause sufficient to support a charge of mail and wire fraud. As part of that charge, Plaintiff was detained in Buffalo and eventually released on bond. Conditions of that bond include, as is customary, a prohibition that Plaintiff not commit any crimes while out on bond.

After consultation with criminal defense counsel, Plaintiff has determined the real possibility exists that the mere filing of his response to Defendants' pending motion to dismiss for statute of limitations violation would be used by the Manhattan Federal Prosecutor as the commission of another crime enabling revocation of his bond. That revocation would unfairly prejudice Plaintiff in his

ability to prosecute this civil matter, meet with his counsel and generally attend necessary and upcoming hearings in this matter. Plaintiff does not agree that his filing of a response to Defendants' motion to dismiss for statute of limitations violation is the commission of any crime, but that without court intervention in this matter Plaintiff cannot risk forfeiture of his parents' home (tethered to his currently pending bond) and his liberty, as constrained as it already is.

Plaintiff's Seventh Amendment Right to file a civil lawsuit is now severely impeded and the pending criminal case prohibits him from freely pursuing his civil case without risking his liberty.

For the reasons set forth above, Plaintiff respectfully requests a 30-day extension of time within which to file his response to Defendants' motion to dismiss for statute of limitations violation to avoid a strategic decision by the Manhattan Federal Prosecutor to regard that filing as a new crime enabling revocation of his bond.

Respectfully submitted,

/s/Paul Argentieri

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