



adequate opportunity to investigate. In light of this Court's December 17, 2008 Docket Entry ("the Docket Entry"),<sup>1</sup> raising such defenses at this stage could require the parties and the Court to expend resources unnecessarily. Furthermore, in light of the Docket Entry, an extension of time for Jenness to answer or otherwise plead would not unduly delay resolution of this case. In addition, Plaintiffs' counsel has consented to this Motion.

For the foregoing reasons, Jenness submits that this Motion should be granted.

Respectfully submitted,

DATED: January 12, 2009

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<sup>1</sup> On December 17, 2008 this Court made a Docket Entry ("the Docket Entry") in which the Court instructed that it was withdrawing Defendant Lynyrd Skynryd's answer and counterclaim, with right to re-file a motion for leave to amend if necessary after ruling on dispositive motions, and holding the parties' discovery dispute in abeyance until after ruling on dispositive motions.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 12, 2009, a copy of the foregoing UNOPPOSED MOTION OF DEFENDANT JUDY JENNESS FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties. Parties may access this filing through the Court's system.

*/s/ Mark E. Avsec*  
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