

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH R. REISINGER,	:	CIVIL ACTION – LAW
Plaintiff	:	
	:	JURY TRIAL DEMANDED
v.	:	
	:	
THE CITY OF WILKES BARRE;	:	
THOMAS LEIGHTON;	:	
FRANCES KRATZ;	:	(Judge Conaboy)
GREGORY BARROUK;	:	
MICHAEL KERMEC and	:	
THE CADLE COMPANY II, INC.	:	
Defendants	:	No. 3:09-CV-210

ORDER

NOW, this ____ day of August, 2010 upon consideration of the Motion for Enlargement of Time to File a Response, Motions to Compel Production of Documents and a Proposed Alternative Amended Case Management Plan filed by the Plaintiff to the above, it is ORDERED and DECREED that the above Motion is hereby granted.

BY THE COURT:

J.

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JOSEPH R. REISINGER,	:	CIVIL ACTION – LAW
Plaintiff	:	
	:	JURY TRIAL DEMANDED
v.	:	
	:	
THE CITY OF WILKES BARRE;	:	
THOMAS LEIGHTON;	:	
FRANCES KRATZ;	:	(Judge Conaboy)
GREGORY BARROUK;	:	
MICHAEL KERMEC and	:	
THE CADLE COMPANY II, INC.	:	
Defendants	:	No. 3:09-CV-210

**MOTION FOR ENLARGEMENT OF TIME TO FILE (i) MOTIONS
TO COMPEL PRODUCTION OF DOCUMENTS, AND (ii) A
RESPONSE AND A PROPOSED ALTERNATIVE AMENDED CASE
MANAGEMENT PLAN IN OPPOSITION TO CITY DEFENDANTS’
MOTION FOR EXTENSION OF TIME TO COMPLETE
DISCOVERY AND TO AMEND THE AMENDED CASE
MANAGEMENT SCHEDULE**

The Plaintiff, JOSEPH R. REISINGER (“Plaintiff”), hereby moves this Honorable Court for an extension of time of ten (10) days, until Monday, within which to file (I) Motions to Compel Production of Documents, in regard to both the City Defendants and the Cadle Defendants, and (ii) a Response and a Proposed Alternative Amended Case Management Plan, in Opposition to the City Defendants’ Motion for

Extension of Time to Complete Discovery and to Amend the Amended Case Management Schedule, and in support thereof, aver as follows:

1. Counsel for the City Defendants filed a Motion for Extension of Time to Complete Discovery and to Amend the Amended Case Management Schedule on July 23, 2010. (the “Motion”)

2. The Plaintiff opposes the City Defendants’ improper characterization of certain events and occurrences as they are averred in that Motion.

3. The Plaintiff also opposes the changes that counsel for the City Defendants is proposing for the Amended Case Management Schedule on the grounds that they are unfair and would result in extreme prejudice toward the Plaintiff if the proposed changes are granted.

4. The City Defendants have only partially complied with the Plaintiff’s requests for production of documents that are necessary for him to fully prepare for trial.

5. The Cadle Defendants have virtually ignored the Plaintiff’s request for production of the documents that are necessary for him to prepare for trial.

6. The Plaintiff has produced all of the documents that both the City Defendants and the Cadle Defendants have requested to date, yet both the City Defendants and the Cadle Defendants have failed to produce any of the vital documents that have been requested by the Plaintiff.

7. As such, the Plaintiff does not believe that the City Defendants or the Cadle Defendants should be rewarded for this inappropriate behavior.

8. Also, the Plaintiff respectfully requests that this Honorable Court take into consideration the fact that he is operating at a substantial disadvantage in this case due to his poor health, which only allows him to be able to work for approximately twenty-five (25) hours per week, instead of the normal forty (40) plus work week that most attorneys work.

9. Also, the Plaintiff is a solo practitioner who does not enjoy the same vast resources that are available to opposing counsel in this case.

10. The Plaintiff is representing himself in this case due in large part to his substantially diminished financial situation, which is due in large part to the inappropriate actions of the Defendants in this case, for which the Plaintiff is still seeking justice.

11. Also, as all are aware, the Plaintiff is just beginning to fully recover from the unexpected and sudden loss of his youngest son, Kurt, and

has had to spend a substantial amount of his time attempting to finalize Kurt's affairs in New York City.

12. As a result of all of these limitations, the Plaintiff respectfully requests that this Honorable Court keep in mind the substantial disadvantage that the Plaintiff is at when litigating this case, and respectfully requests that he be granted twice the amount of time afforded to his opposing counsel, to complete assigned tasks and responses.

13. As mentioned above, none of the named Defendants in this case have produced the vital documents that the Plaintiff has requested in order to fully and adequately prepare for trial, and therefore, the Plaintiff intends to file with this Honorable Court Motions to Compel Production of Documents on the Defendants to get them to comply with his requests.

14. The Plaintiff is in the process of drafting these Motions to Compel Production of Documents, and Supporting Memorandum of Law, will have them completed by Monday August 16, 2010.

15. The Plaintiff feels that this Honorable Court needs to be aware of all of the above information prior to it revising the Amended Case Management Plan.

16. As such, the Plaintiff also intends to propose an alternative Amended Case Management Plan after the Motions to Compel Production of Documents are filed.

17. The Plaintiff's proposed Amended Case Management Plan will be fair to all parties involved in this litigation, and will not unfairly favor certain parties at the expense of others, as does the City Defendants' proposed Amended Case Management Plan.

18. The Plaintiff currently has until August 6, 2010 to file his Response in Opposition of the City Defendants' Motion.

19. However, due to all of the above, the Plaintiff has concluded that he will not be able to complete his Response, along with the necessary Motions to Compel Production of Documents and his Alternative Proposed Amended Case Management Plan by August 6, 2010 and as a result of such, is respectfully requesting that this Honorable Court grant him an extension of time of ten (10) days, until Monday, August 16, 2010, to complete (i) his Motions to Compel, and (ii) his Response and his new proposed Amended Case Management Plan, one that will be fair to all parties involved in this litigation, and will not unfairly favor certain parties at the expense of others.

WHEREFORE, the Plaintiff, JOSEPH R. REISINGER, respectfully requests that this Motion for Enlargement of Time to File a Response, Motions to Compel Production of Documents and a Proposed Alternative Amended Case Management Plan in Opposition to the City Defendants' Motion be granted by this Honorable Court.

Respectfully submitted by,

/s/Joseph R. Reisinger

Joseph R. Reisinger
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CERTIFICATE OF SERVICE

Joseph R. Reisinger hereby certifies that on the 6th day of August, 2010 he caused to be served a true and correct copy of the Motion for Enlargement of Time to File a Brief in Opposition to the City Defendants' Motion for Extension of Time to Complete Discovery and to Amend the Amended Case Management Schedule by electronic mail to the following:

Donald H. Brobst, Esquire
Rosenn, Jenkins & Greenwald
15 S. Franklin St.
Wilkes-Barre, PA 18711

&

Kevin T. Fogerty, Esquire
Law Offices of Kevin T. Fogerty
Mill Run Office Center
1275 Glenlivet Drive, Suite 150
Allentown, PA 18106

Submitted by,

/s/Joseph R. Reisinger