

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

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

**MOTION FOR ENLARGEMENT OF TIME OF ELEVEN (11) DAYS  
UNTIL MONDAY, OCTOBER 25, 2010 TO FILE A RESPONSE TO  
DEFENDANTS’ RESPONSES IN OPPOSITION TO PLAINTIFF’S  
MOTION FOR RECONSIDERATION**

The Plaintiff, Joseph R. Reisinger (the “Plaintiff”), is filing *pro se*, and hereby requests that this Honorable Court grant him an enlargement of time of eleven (11) days until Monday, October 25, 2010 to file a reply to the responses that each of the Defendants have filed in opposition to the Plaintiff’s Motion for Reconsideration, filed on August 31, 2010, related to the above case, and in support hereof, avers as follows:

1. On August 31, 2010, the Plaintiff filed a Motion for Reconsideration in the above case.

2. On September 13, 2010, Mr. Fogerty, counsel for the Cadle Defendants, filed a Memorandum of Law in Opposition to the Plaintiff's Motion for Reconsideration along with several exhibits.

3. The Plaintiff then began to prepare a preliminary draft of a response to Mr. Fogerty's filing.

4. Mr. Brobst, council for the City Defendants, filed a Brief in Opposition to the Plaintiff's Motion for Reconsideration on September 17, 2010.

5. The Plaintiff then filed on September 28, 2010 a Motion for Permission to Have Ten (10) Days to File a Response to Defendants' Responses in Opposition to Plaintiff's Motion for Reconsideration, and this Honorable Court granted that request on October 6, 2010.

6. In the above Motion for Ten (10) Days, the Plaintiff highlighted the various problems that he had had with both the City of Wilkes-Barre and Mid-County Resources, LLC ("Mid-County") and its owners and representatives attempting to illegally close the Plaintiff's "Law Office", and also to confiscate all of his confidential files, as well as eject the Plaintiff from his apartment.

7. As a result, the Plaintiff had to obtain an Emergency Preliminary Injunction (the “Emergency Injunction”) to prevent this from happening.

8. The Emergency Injunction was made permanent in regard to Mid-County by an Order of the Honorable Judge Saxton on September 22, 2010 (the “9/22/10 Order”). A copy of that Order is attached hereto as Exhibit A, 9/22/10 Order.

9. However, despite the above 9/22/10 Order, Mid-County began violating the Emergency Injunction from the very day the above 9/22/10 Order was granted.

10. Mid-County violated the 9/22/10 Order on at least four occasions.

11. As a result of all of the violations and continuous harassment, the Plaintiff was forced to prepare a “Petition for a Second Emergency Preliminary Injunction”, and also a “Petition to Modify the Injunction in Regard to Various Matters”, both of which required the Plaintiff to expend a substantial amount of time in preparing.

12. A copy of the Petition for the Second Emergency Preliminary Injunction is attached hereto as Exhibit B, Petition for Second Injunction.

13. A copy of the Petition to Modify the Injunction in Regard to Various Matters is attached hereto as Exhibit C, Petition to Modify.

14. The Petition for the Second Emergency Injunction and the Petition to Modify the Injunction in Regard to Various Matters are referred to herein as the “Petitions”.

15. Both of the Petitions lay out in detail the extent of the violations that occurred in regard to the 9/22/10 Order, and also highlight the harassment that the Plaintiff and the Plaintiff’s office staff have had to endure for the past several weeks.

16. Both Petitions were filed by the Plaintiff, and Judge Saxton was provided with a copy of each on Thursday, October 7, 2010.

17. The Plaintiff had hoped that Judge Saxton would review both Petitions, sign the corresponding orders, and schedule a hearing related thereto.

18. However, due to several administrative errors in the Luzerne County Courthouse, Judge Saxton did not review either of the above Petitions until Tuesday, October 12, 2010.

19. The Plaintiff and members of the Plaintiff’s office staff had to go to the Luzerne County Courthouse on numerous occasions in an attempt

to rectify the above administrative mix-up, and also in attempts to have Judge Saxton review the above Petitions.

20. Members of the Plaintiff's office staff went to the Luzerne County Courthouse on several occasions on both Thursday, October 7, 2010, as well as several times on Friday, October 8, 2010.

21. It was then determined at approximately 4:00 p.m. on Friday, October 8, 2010 that Judge Saxton had not reviewed either of the Petitions, and Judge Saxton would not be available again until Tuesday, October 12, 2010 because of the Columbus Day holiday.

22. On Tuesday, October 12, 2010, Judge Saxton determined that he would not have the amount of time necessary to review the Petitions because he is only a visiting judge who mainly handles Protection from Abuse hearings, and therefore turned the files over to another judge.

23. Once again, the Plaintiff and members of the Plaintiff's office staff had to attempt to deal with the scheduling and administrative confusion at the Luzerne County Courthouse.

24. This once again required several more trips to and from the Luzerne County Courthouse in an attempt to clarify the above situation.

25. Additionally, the Plaintiff, as a tax attorney, has a substantial amount of prior commitments to clients, in that, between now and October

15, 2010, the Plaintiff is responsible for the filing of at least fifteen (15) tax returns for many different years, which involve four clients who are doctors that have made over six million dollars (\$6,000,000.00) in improvident investments since 2007 in a failed chain of franchise restaurants.

26. Because of the fact that October 15, 2010 is the “drop dead date” in regard to the statute of limitations to address all of the above tax filings, the Plaintiff already had an extremely tight schedule because of the above tax engagements prior to the above forced closure of his Law Office and the resulting mayhem.

27. As a result of all of the above, the Plaintiff has been unable to finish his response to Mr. Fogerty’s brief, and he has also not been able to prepare his brief to Mr. Brobst’s brief because he is under extreme pressure to fulfill his obligations to his tax clients until October 15, 2010, which is the final date in regard to the filing of the tax returns.

28. After all of the Plaintiff’s tax obligations are honored by October 15, 2010, the Plaintiff will then promptly begin to finish his response to the Defendants’ responses.

29. Therefore, he is respectfully requesting that this Honorable Court grant him an extension of eleven (11) days to file his response to the Defendants’ responses.

WHEREFORE, the Plaintiff respectfully requests that this Motion for Enlargement of Time of Eleven (11) Days Until Monday, October 25, 2010 to File a Response to Defendants' Responses in Opposition to Plaintiff's Motion for Reconsideration be granted, so that the Plaintiff will have an opportunity to file a response to each of the above Defendants' responses, so as to ensure the fact that this Honorable Court has all the pertinent facts in writing prior to making a decision.

Respectfully submitted,

/s/Joseph R. Reisinger  
Joseph R. Reisinger, *pro se*

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