

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

DANIEL R. CASTRO

VS.

ENTREPRENEUR MEDIA, INC.

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NO. A-10-CA-695 LY

ORDER

Before the Court is the Emergency Motion for Short Extension of Deadline to File and Serve Reply Brief in Support of Motion to Dismiss (Clerk's Doc. No. 71). The Defendants request through the motion an extension of two days¹ to file a reply to the five responses submitted by the Plaintiff to the Defendant's motion to dismiss. The e-mail exchange attached to the motion sets forth the basis for the Plaintiff's refusal to agree to this extension. In short, the Plaintiff states that he would not agree to the extension because the Defendant reneged on an oral agreement apparently reached during a mediation.

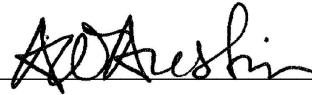
This is a matter that attorneys licensed to practice before this Court should not take up a judge's time with. A two-day extension is trivial, and withholding agreement to it out of anger about a failed settlement is unprofessional, particularly when the responsive briefing is over 70 pages long. The Court expects more of the Plaintiff. The docket of this district is extremely busy, and contesting matters that should be agreed upon only exacerbates the problem.

ACCORDINGLY, Defendant's Emergency Motion for Short Extension of Deadline to File and Serve Reply Brief in Support of Motion to Dismiss (Clerk's Doc. No. 71) is GRANTED, and

¹The motion requests an extension until August 17, 2011, and states that the response is due on August 12, 2011. In fact, the response is not due until August 15, 2011, as the Defendant's calculation of the deadline failed to include the three additional days for electronic service provided by FED. R. CIV. P. 6(d).

the Defendant shall have until August 17, 2011 to file its reply in support of its notion to dismiss.

SIGNED this 15th day of August, 2011.

A handwritten signature in black ink, appearing to read "A. Austin", written over a horizontal line.

ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE